Plymouth Town Wharf Developer's Kit



Development Guidelines and Submission Requirements

Town of Plymouth

Appendicies A-H

COASTAL ZONE
INFORMATION CENTER

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ACKNOWLEDGEMENTS

This developer's kit was prepared with the cooperation of the Plymouth Water-front Steering Committee; a special sub-committee of the Harbor Committee; the Plymouth Planning Board, and Plymouth's Board of Selectmen. Funding for the study was provided, in part, through a grant from the National Oceanic and Atmospheric Administration pursuant to Section 308 (c) of the Federal Coastal Zone Management Act of 1972, as amended. Responsible officials, and staff for the Town included:

Waterfront Steering Committee:

S. Michael Baker, Chairman Bruce Arons Greg Collins Robert Lewis Paul Souza Plymouth Planning Board:

Lewis J. Cotti, Jr., Chairman Michael Babini Joseph Balboni Robert Barnes Paul McCauliffe Ray Frieden, Planning Director

Plymouth Board of Selectmen:

Roger Silva, Chairman George Butters David Malaguti William Nolan
David Tarantino
William Griffin, Executive Secretary

Plymouth Engineering Department:

Frederick J. Smith, Town Engineer James Thompson

Contact was also made with other individuals concerned with the future of the waterfront. Individuals contacted included:

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HESSY, MY 789 1981 V.2

A base map for the development parcel is attached. This has been prepared by the Town's Engineering Department.

U.S. DEPARTMENT OF COMMERCE NOAA COASTAL SERVICES CENTER 2234 SOUTH HOBSON AVENUE CHARLESTON, SC 29405-2413

* provided under separate cover

Proporty of CSC Library

PLYMOUTH DEVELOPER'S KIT

A plan of the planned public improvements for the Town Wharf is attached. It should be noted that improvements shown within the boundary of the development parcel when this plan was prepared were envisioned as temporary, and that the specific pedestrian and open space improvements within the development parcel are to be provided by the developer. Further, the developer shall be responsible for pedestrian and open space improvements between the development parcel and the water, including decking over or filling the boat ramp, which should be eliminated as a result of this project.

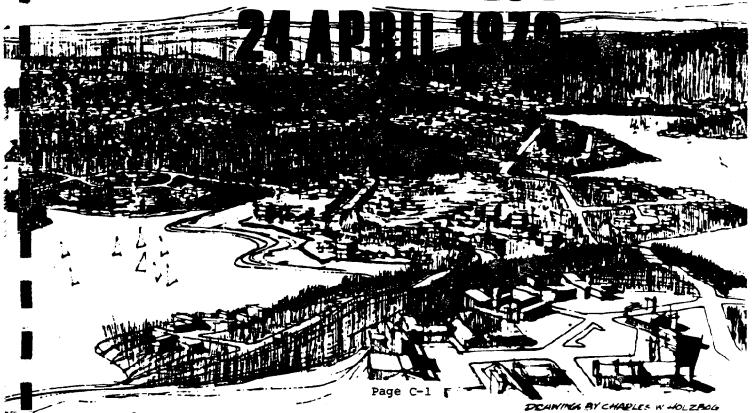
^{*} provided under separate cover.

Additional plans with further detail
are available for review at the Planning Board.

Excerpts from the zoning ordinance are attached. *

* These are attached as a convenience to prospective developers. However, each developer will be individually resposible for researching the full ordinance and determining what steps will be necessary for obtaining project approval.





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SECTION 200
            ENFORCEMENT OFFICER AND DUTIES
SECTION 201
            BUILDING AND ZONING PERMITS
SECTION 202 ZONING BOARD OF APPEALS
SECTION 203 (not used)
             (not used)
SECTION 204
SECTION 205
            SPECIAL PERMITS
SECTION 206
            DISTRICT BOUNDARY INTERPRETATION
SECTION 207
             (not used)
SECTION 208
            DESIGN REVIEW BOARD
SECTION 209 AMENDMENTS TO BYLAW
SECTION 210 FEES, CHARGES, EXPENSES
SECTION 211
            VIOLATIONS
SECTION 212 BYLAW SETS MINIMUM REQUIREMENTS
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SECTION 200 ENFORCEMENT OFFICER AND DUTIES

This ordinance shall be administered and enforced by the Building Inspector of the Town of Plymouth with the assistance of such other persons as the Board of Selectmen or Town Meeting may direct. Duties of the Building Inspector under this Bylaw shall include the receiving of applications, issuing building and zoning permits, inspection of premises, issuing certificates of occupancy, action on violations, and any other lawful actions necessary to assure conformance with this Bylaw.

SECTION 201 BUILDING AND ZONING PERMITS

201.01 Building and Zoning Permits Required 201.02 Procedures For Zoning Permits 201.03 Procedures For Special Permit Uses 201.04 Expiration of Permits 201.05 Certificate of Occupancy Required 201.06 Right of Appeal

201.01 Building and Zoning Permits Required

No building or other structure shall be erected, structurally altered, added to, or moved, nor shall any cutting of trees, clearing of land, or exceptation of soil be carried out, whether or not for purposes of construction, nor shall any change of land use be made unless a zoning permit has been issued and no building permit, as required by the Building Code, shall be issued without an approved zoning permit. The Building Inspector shall issue no permit except for work is conformity with the provisions of this Bylaw unless he receives a written order from the Zoning Board of Appeals allowing otherwise as follows hereinafter, Section 205.

The following procedures and requirements shall apply to uses and structures on all lots whether subdivided prior to or subsequent to the enactment of this Rylow and to all lots not requiring subdivision approval in accordance with the General Laws, Chapter 41, Section 81L, except that any lots protected by the General Chapter 40A, Section 6 may be submitted under the zoning provisions existing at the time of Planning Board endorsement of said lots.

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201_02_Procedures_for_Zoning_Permits

- A)---Application_Plan. Formal application for a zoning permit shall be made in four (4) copies on standard forms provided by the Building Inspector, and shall include four (4) copies of a plan of the proposed development. This Application Plan shall be drawn to a useable scale, normally not smaller than 1" = 10" for small proposals, or 1" = 40" for large proposals. Such plan shall show:
 - +++Location map;
 - +++Actual size and shape of lot;
 - +++Existing conditions and characteristics of the lot including contours at five (5) foot intervals, trees and other natural features (see Section 301 Natural Features Protection Requirements), and roads and structures;
 - +++Existing conditions on adjacent lots including generalized topography, tree coverage, and distance of existing structures from lot lines;
 - +++Proposed uses of land and exact size, shape and location of all

Plymouth Zoning Bylaws

proposed structures, including walls and fences;

- +++Parking, screening, landscaping and any other site elements required under this Bylaw;
- +++Proposed finish grading at two (2) foot contour intervals, and all provisions for drainage affecting the site or adjacent properties;
- +++Such other information as the Building Inspector may reasonably require, including a plan of the entire subdivision in the case of single-family homes.

For additions to existing single family homes, or for additions to other uses which would be less than five hundred (500) square feet in area, which would not be in any required yard, the Building Inspector may require only the size and shape of the lot, the existing structure and the proposed addition.

1)---Notice_to_Utilities:

Accompanying the application plan shall be certification, on a form provided by the Building Department, that notification of any proposed excavation in abutting streets, private ways, rights-of-way and easements has been given to all appropriate public utility companies as determined by the Building Inspector, including but not limited to utility companies providing electricity, gas and telephone service.

B)---Approxed_Plan. Within fourteen (14) days of the receipt of a complete application for a single-family detached and two-family detached dwelling and within thirty (30) days for other uses, and after proper review, and consideration of any decisions rendered by Town boards having jurisdiction, the Building Inspector shall mark and sign all copies of the plans as approved, approved conditionally, or disapproved. He may mark minor required changes in red in the case of conditional approval or may require the plans to be redrawn with corrections. Where the plans or other material suggest potential site problems, the Building Inspector shall make an inspection of the site prior to issuing a zoning permit. The Building Inspector shall give detailed reasons in the case of disapproval and resubmission shall be necessary for further consideration, unless appeal is taken to the Board of Any plan approved or approved with conditions shall be designated an Approved Plan and all work shall be done exactly in conformance with such plan. One (1) copy of the Approval Plan.and the building and zoning permit, if issued, shall be sent to the applicant, one (1) copy retained by the Building Inspector, one (1) copy filed with the Planning Board, and one (1) copy filed with the Board of Health.

No zoning permit shall be issued until an application for a certificate of occupancy has been filed and until appropriate fees have been paid to Town Clerk, as required in Section 210.

For uses other than single-family detached and two-family detached dwellings, the Building Inspector shall transmit copies of the application and application plans to the Planning Board for their review and comments. The Board shall render its report within 21 days.

201.03 Procedures For Special Permit Usos

A. <u>Initial Submission To Building Inspector</u>. For any use or structure requiring a special permit, the applicant shall first make application to the Building Inspector for a zoning permit as normally required, at which time the Building Inspector shall advise the applicant as to the particular requirements of the Zoning Bylaw regarding the proposed use.

B. Optional Schematic Plan.

1. In the case of special permit uses, and special permit uses which are subject to the Environmental Design Conditions prescribed in Section 205, a Schematic Plan may be submitted to the Building Inspector which may be less detailed than the Preliminary Plan required for formal submission to the Board of Appeals (see Section 205). This optional Schematic Plan is intended to save the applicant time and expense in preparing plans which will be suitable for submission to the Board of Appeals.

The Schematic Plan is intended to be a clear precentation of a preliminary plan concept and the basic character of the proposed development. It is not intended to be a detailed or final drawing with engineering calculations or explicit architectural designs.

The application for a zoning permit and the Schematic Plan shall be filed in three (3) copies.

- 2. The Schematic Plan should be accompanied by a drawing showing the approximate size and location of the site in the Town and by photographs of representative portions of the site at a size of 8 inches by 10 inches. The site plan should be carefully sketched to scale and should clearly show the size and shape of the site, the topography at five (5) foot intervals, other general characteristics of the property including basic tree coverage, proposed uses of the land, the proposed vehicular circulation system and how it relates to the surrounding street pattern, the proposed system of pedestrian circulation and how it relates to that of surrounding properties, the location of all open space and an indication of its intended character, the general number and density of dwelling units if any, the types of dwelling units envisioned, location of clusters or complexes of dwelling units by type, location and general characteristics of non-residential land uses or facilities if any, any significant accessories, and other pertinent features of the plan.
- 3. The Building Inspector or other appropriate agents of the Town may advise the applicant as to the following:
 - a General suitability of the site and location of the proposed development:
 - Suitability of the basic design concept, including land use, circulation, and open space;
 - The appropriateness of the intensity of development, overall and in specific sectors;
 - Appropriate treatment of the natural features of the site and requirements concerning their protection and advisory review by the Conservation Commission;
 - Requirements concerning design and siting of structures and accessories, and advisory review by the Design Review Board;
 - Information required for proper application to the Board of Appeals for Special Permit.

- 4. The Building Inspector shall transmit copies of the Schematic Plan to the Planning Board and may advise the applicant of a suitable time for submitting the application for special permit to the Board of Appeals.
- C. <u>Final Submission To Building Inspector</u>. Once a special permit has been issued by the Board of Appeals the application for a zoning permit shall be filed again with the Building Inspector accompanied by the Definitive Plan, if any, approved by the Board of Appeals. In cases where the setbacks of single family houses have been prescribed in the special permit, the Building Inspector shall verify that the zoning permit application for each lot is in conformity with the special permit.

201.04 Expiration of Permits.

- A. Zoning Permits. If the use or construction described in any Zoning Permit has not begun within one (1) year of the date of issue, and, in the case of construction, is not continued through to completion as continuously and expeditiously as possible, the permit shall expire and the Building Inspector shall give written notice thereof to the persons affected. Work shall not proceed until a new zoning permit has been issued in conformance with the Zoning Bylaw in effect at the time of reissue.
- B. <u>Building Permits</u>. If the use or construction authorized by a Building Permit is not commenced within the time frame specified in Section 6 of Chapter 40A, or, in the case of construction, is not continued through to completion as continuously and expeditiously as is reasonable, then the Building Permit shall expire and the Building Inspector shall give written notice thereof to the persons affected. Work shall not proceed until a new Building Permit has been issued pursuant to a valid Zoning Permit.

201.05 Certificate of Occupancy Required

It shall be unlawful to use or occupy or to change occupancy of any structure or premises or part thereof for which a zoning permit is required until a certificate of occupancy or temporary certificate of occupancy has been issued by the Building Inspector.

All non-conforming uses and structures shall be issued a certificate of non-conformance, as required in Section 307, which shall describe any conditions of non-conformance affecting or restricting occupancy.

A temporary certificate of occupancy may be issued for a period not exceeding six (6) months during alteration of a presently occupied building or for partial occupancy of a building.

A public record of all certificates of occupancy shall be filed in the office of the Building Inspector.

Application Procedure. Application for a certificate of occupancy shall be made on standard forms provided by the Town at the time of application for a zoning permit, if any, or prior to occupancy or change of occupancy of any existing premises. Any such application not accompanying the plans required for a zoning permit application shall include three (3) copies of Approved Plans as described in Section 201.03.

The applicant shall notify the Building Inspector of the completion date of any work described in the application for a certificate of occupancy prior to occupancy, and preferably at least five (5) days prior to completion. As soon after completion of work as possible the Building Inspector shall perform his final inspection and shall determine whether or not work is in compliance with all regulations and whether the certificate of occupancy has been issued. The Building Inspector shall issue no certificate of occupancy unless it has been signed by

the Public Safety Commission and all other Town bodies having jurisdiction. indicating that the work has been completed in conformance with all applicable regulations.

In case of non-compliance, the Building Inspector shall notify the applicant in writing, stating detailed reasons for non-compliance. No certificate of occupancy shall be issued until compliance with all zoning requirements is accomplished. Failure to obtain a certificate of occupancy shall be deemed a violation of this Bylaw, as covered in Section 211.

201.06 Right of Appeal

If any request for a zoning permit be disapproved or if any certificate of occupancy be denied, the applicant may appeal the decision of the Building Inspector to the Zoning Board of Appeals.

SECTION 202 ZONING BOARD OF APPEALS

202.01 Establishment and Membership

202.02 Organization and Proceedings

202.03 Public Hearings. Notices

202.04 Stay of Proceedings

202.01 Establishment and Membership

There shall be a Zoning Board of Appeals in accordance with Chapter 40A and as provided by the Charter. The present Board of Appeals shall continue as existing under the present Zoning Bylaw. Members may be removed for cause by the Selectmen following written charges and a public hearing. Vacancies shall be filled forthwith by appointment by the Selectmen for the unexpired term of any members whose positions become vacant.

202.02 (not used)

202.03 Public Hearings, Notices
Upon receipt of an appeal, the Board shall set a reasonable time for a hearing within sixty-five (65) days of filing and give notice thereof in accordance with applicable statutory provisions.

202.04 Stay of Proceedings

An appeal stays all proceedings in furtherance of the action concerned, unless the Building Inspector from whom the appeal is taken certifies to the Board than by reason of facts stated in the certification a stay would cause imminent port! to life or property. In such a case proceedings shall not be stayed except by a restraining order which may be granted by the Board of Appeals or a court of record upon application by the Building Inspector.

SECTION 205 SPECIAL PERMITS

205.01 Procedures

205.02 Conditions and Safeguards

205.03 Environmental Design Conditions

205.01 Procedures

- A. The Board of Appeals is hereby designated as the Special Permit Granting Authority. The Board of Appeals may grant a special permit for certain uses and structures as authorized in Parts III and IV of this Bylaw, subject to conditions and procedures set forth herein and in other applicable sections of this Bylaw.
- B. Following application to the Building Inspector for a zoning permit, the applicant shall file a request for a special permit with the Town Clerk who shall forthwith transmit copies thereof to such officer or Board whose order or decision is being appealed, and to the Board of Appeals. Application for a special permit shall be filed in quadruplicate on forms provided by the Board of Appeals and should include any plans or other documents advised previously by the Building Inspector. The Board of Appeals may require additional information as necessary to adequately judge the merits of the request.
- C. Applications shall be distributed immediately to the Planning Board, the Design Review Board, and the Board of Health. The reports of the Design Review Poard and the Board of Health, which are advisory, shall be submitted to the Planning Board within twenty-one (21) days of filing of the applications. The Planning Board shall transmit all such advisory reports to the Board of Appeals within thirty-five (35) days of the filing of the applications.
- D. Within thirty (30) days of filing the Planning Board shall evaluate the proposal with regard to the conditions and standards set forth herein and in the rules of the Board of Appeals and shall submit an advisory report in writing to the Board of Appeals. The Planning Board shall forward, with its report, copies of all recommendations received from other Boards, Commissions or Departments. The Planning Board shall send a copy of its full report and recommendations including copies of those received by it to the applicant. The Board of Appeals shall not render a decision without considering the report of the Planning Board unless thirty (30) days expire without the receipt of such report.
- E. A public hearing shall be held as prescribed in Section 20% 73.
- F. The Board of Appeals shall make a decision on the special permit within ninery (90) days following a public hearing for which notice has been given, unless the applicant and the Board shall agree to another time.
 - With respect to each special permit, the Board of Appeals shall establish a reasonable period, not to exceed two (2) years, after which, if substantial use or construction permitted by the permit has not been commenced and is not continued, the special permit shall expire. This time period will begin on the date on which the permit is filed with the Town Clerk. The time period shall automatically be extended by the amount of time required to pursue and await the determination of an appeal.
- G. The decision of the Board of Appeals shall be distributed as follows:
 - Copies of its decision together with the detailed reasons therefor shall be filed with the Town Clerk, the Planning Board and the Building Inspector;

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- 2. A certified copy of its decision shall be mailed to the owner and to the applicant if other than the owner;
- 3. A notice of the decision shall be sent to the parties of interest and to persons who requested a notice at the public hearing;

In addition: Copies of the detailed record of its proceedings shall be filed at the office of the Town Clerk within 14 days of said decision and all of the above shall be completed within 90 days after the public hearing date.

H. No special permit shall take effect until notice of approval is recorded with the title of the land in question in the Plymouth County Registry of Deeds or the Plymouth Land Registry District and until a certified copy of said recording is transmitted to the Board of Appeals by the Registry. The responsibility and the cost of said recording and transmittal shall be borne by the owner of the land in question.

205.02 Conditions and Safeguards

- A. The Board of Appeals shall not grant any special permit unless necessary conditions are satisfied, including but not limited to the following:
 - 1. The proposed use is appropriate in the zone and specific site in question;
 - Adequate and appropriate facilities will be provided for proper operation of said use:
 - There will be no hazard to pedestrians or vehicles;
 - 4. There will be no nuisance or adverse effect upon the neighborhood.

The Board of Appeals may require conditions and safeguards deemed necessary to protect the neighborhood or the Town, including but not limited to the following:

- Requirement of front, side or rear yards greater than the minimum otherwise prescribed by this Bylaw;
- Requirement of screening of service or parking areas or other areas of the site by walls, fences, planting, or other approved means;
- 3. Limitation of signs or other advertising features;
- 4. Limitations of number or density of occupants, times or nature of operation, size, scale, or other characteristics of use or facilities;
- 5. Regulation of the number, design and location of access drives or circulation facilities;
- 6. Requirements of off-street parking, loading or other features beyond the minimum otherwise required by this Bylaw.
- 7. Requirement that appropriate Town or private services be available prior to the issuance of a building permit for any part of the proposed development.
- 8. Requirement that adverse effect, if any, to the subterranean water table and to the ecology in the vicinity of the proposed development be minimized to the extent possible.

205.03 Environmental Design Conditions

A. Intent. For certain uses prescribed in each zoning district in Part IV and in Section 309, the Board of Appeals shall not grant any special permit unless additional Environmental Design Conditions are satisfied. This section is intended to provide a detailed review by the Board of Appeals aided by appropriately qualified Town boards and their consultants of such uses which have a significant impact upon the health, safety and general welfare of the Town and its inhabitants due to their location, intensity of use, scale of structures, traffic generation, impact upon the landscape and natural ecological processes, visual prominence, social and cultural importance to the Town, and overall impact upon the character and environmental amenity of Plymouth.

Upon receipt of an application for special permit normally subject to the Conditions and Safeguards set forth in Section 205.02, the Board of Appeals may determine that due to the location, complexity, scale, or characteristics of operation of the use in question, it should be subject to the additional Environmental Design Conditions specified herein.

B. Administration of Environmental Design Conditions. Procedures shall be the same as prescribed in Section 205.01 for all special permits except that more detailed review shall be needed, additional information shall be provided on plans, and the applicant shall file a sufficient number of copies as determined by the Board of Appeals with the Board of Appeals which shall be distributed as follows:

| Planning Board | 2 copies | Dept. of Public Works | 1 copy |
|-------------------------|-----------|-----------------------|--------|
| Design Review Board | 2 copies | Board of Selectmen | 1 copy |
| Building Inspector | 1 сору | Fire Chief | 1 сору |
| Conservation Commission | оп 1 сору | Police Chief | 1 сору |
| Town Engineer | 1 copy | Board of Health | 1 copy |

Any of these Boards of officials desiring to offer advisory comments shall submit a report in writing to the Planning Board within twenty—one (21) days. The Planning Board shall submit its advisory report to the Board of Appeals as normally prescribed in Section 205.01. The Planning Board shall submit its report and recommendations together with copies of all other reports and recommendations received by it to the Board of Appeals and the applicant as normally prescribed in Section 205.01.

C. Information Required.

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- 1. The plan submitted shall be entitled Preliminary Plan and shall be accurately drawn to a scale of 1" = 20', 1" = 40', or 1" = 100' where practical and appropriate to the size of the proposal.
- 2. There shall be submitted at the same scale as the site plan a professionally surveyed plan of existing site features including the size of the property, the topography at two (2) foot contour intervals, general soil types, vegetation cover including accurate locations of wooded areas and major trees (see Section 301) as well as roads, structures or other significant features. A locus map shall be included to indicate the location of the property within the Town. For small sites or projects of a relatively simple nature, this information may be provided on the site plan (see 4. below) at the discretion of the Board of Appeals. Photographs of representative portions of the site at a size of 8 inches by 10 inches (copies to Board of Appeals, Planning Board and Design Review Board only) shall be included.
- 3. In order to allow adequate consideration of the surroundings, a plan of adjacent properties shall be presented at a scale of not less than 1" = 100' or at the same scale as the proposed site plan if practical. This plan shall show the general characteristics of all lands within 200' of the proposed site or such other distance as may be reasonably required including structures, parking areas, driveways, pedestrian ways, and natural characteristics. Any structures or significant changes in topography within 50' of the lot line shall be located precisely on said plan.
- 4. A site plan and any other drawings necessary shall precisely indicate the area of the site, the proposed uses of the land, the vehicular circulation system including pavement widths, rights of way, and how the system

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relates to the surrounding street pattern; all parking and required screening; the pedestrian circulation system and other pedestrian facilities and how they relate to surrounding pedestrian circulation; all proposed structures including their exact location, relation to the topography, plan configuration, height, bulk, materials, elevations, and other necessary design information; the number and type of dwelling units if any and their density or land use intensity within specific clusters and over the entire site; service access and facilities for all Structures or uses including garbage and trash disposal facilities; the location of all open space including its intended use, natural trees and foliage to be maintained, specific new planting by size and location; finish contours of the topography and an indication of types of ground cover and other precautions to stabilize all slopes; all site drainage including natural courses and storm drains; significant site appurtenances such as walls, light poles, recreation areas and facilities; and any other items reasonably prescribed by the Board of Appeals.

- 5. In order to evaluate the impact of the proposed development on Town services and the welfare of the community, there shall be submitted an Impact Statement which describes the impact of the proposed development on (1) all applicable Town services, including but not limited to schools, sewer system, water system, parks, playground, fire and police protection; (2) the projected generation of traffic on the roads of and in the vicinity of the proposed development; (3) the subterranean water table, including the effect of proposed septic systems; (4) the ecology of the vicinity of the proposed development. The Impact Statement shall also indicate the means by which Town or private services required by the proposed development will be provided, such as by private contract, extension of municipal services by a warrant approved at Town Meeting, recorded covenant, or by contract with homeowner's association".
- 6. Where appropriate there shall also be submitted any drawings or documents necessary to establish the feasibility of proposals for water supply, waste and storm water disposition, the feasibility of planting proposals, and all easements or restrictions to be proposed for open space, utilities or other purposes.
- In rendering a decision, the Board of Appeals shall entitle the plan a 7. Definitive Plan and mark the same as approved, approved with conditions, or disapproved.
- D. General Conditions and Standards. All developments subject to Environmental Design Conditions shall be designed and evaluated with consideration for the following General Standards as well as specific standards prescribed in other sections or in the Rules of the Board of Appeals.
 - Natural Features Conservation. Disruption of existing site features, including particularly the clearing of trees and undergrowth and the changing of natural topography shall be kept to an absolute practical minimum. Where tree coverage does not exist or has been removed, new planting may be required. Finish site contours shall approximate the character of the natural site and surrounding properties. See Section 301 and sections concerning specific land uses.

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2. Relation to Surroundings. The location, scale, and characteristics of proposed land uses on the site; the design, siting, and scale of structures; the circulation and other characteristics of the development shall be in harmony with surrounding properties and land uses.

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- 3. Vehicular and Pedestrian Circulation. Pedestrian walkwa, , streets, driveways, and parking areas shall be carefully designed with respect to topography, proper relation to surrounding streets and pedestrian ways, number of access points to public streets, provision of a clear and efficient street system on the site, adequate widths of drives and streets, separation and attractive parking areas, and proper relationship of circulation elements to structures and other site features.
- 4. Siting of Structures. All buildings and other structures shall be sited to minimize disruption of the topography, to facilitate natural surface drainage and shall be properly designed for the particular site conditions. Strict attention shall be given to proper functional, visual, and spatial relationship of all structures, landscape elements, and paved areas.
- 5. Design of Structures. All structures shall be of high design and construction quality and shall be compatible with the neighborhood and the Town as to design characteristics including but not limited to scale, massing, proportions, height, roofs, colors, and materials. Use of any particular historical style of architecture is not encouraged.
- 6. Surface Water Drainage. All surface water drained from roofs, streets, parking lots and other site features shall be disposed of in a safe and efficient manner which shall not create problems of water runoff or erosion on the site in question or on other sites. Insofar as possible natural drainage courses, swales properly stabilized with plant materials or paving when necessary, and drainage impounding areas shall be utilized to dispose of water on the site through natural percolation.
- 7. Utilities. The placement of electrical lines and other underground utility lines such as water, sewerage and gas shall be coordinated whenever possible and desirable. Placement of utilities including sanitary sewers and disposal facilities shall be done so as to minimize disruption of topography and cutting of trees or undergrowth. The proposed method of sanitary sewage disposal shall be shown precisely on plans.
- 8. <u>Signs</u>. Signs and outdoor advertising features shall be subject to the regulations of Section 302, Signs. Such signs shall be reviewed as an integral element in the design and planning of all developments and shall be in harmony with the proposed and nearby developments.
- 9. Other Site Features. All service areas, loading areas, outdoor storage, utility structures, mechanical equipment, garbage disposal facilities, or other service or utility facilities shall be located or visually screened so as not to create hazards or visual or other nuisances. Light fixtures, walls, fences, benches, recreation facilities and other such site appurtenances shall be harmoniously designed, constructed, and located in relation to other site features.

E. Specific Standards. In addition to the preceding general standards and design criteria, more specific requirements and design criteria are prescribed under the district regulations for each zoning district in Part IV and under the following sections:

| Natural Features Conservation Requirements | 302 |
|--|-------------|
| Protection of Open Space Quality | 30 2 |
| Signs | 302.0 |
| Wires and Poles | 302.0 |
| Buffers Between Land Uses | 303 |
| Off-Street Parking | 305 |
| Off-Street Loading | 306 |
| Special Permit Uses | 309 |
| Planned Unit Development | 310 |
| Bonus Incentives | 312 |

The Board of Appeals shall adopt rules to aid in the conduct of its duties which may include additional conditions and safeguards which supplement those prescribed in this section or the above sections. Such rules shall be available to the public.

F. Modification of Criteria For Excellence of Design. The Environmental Design Conditions described herein embody the basic goals of the Zoning Bylaw. They are intended to minimize the possibility of poor design and site planning and therefore to insure that the character of specific developments is, in fact, consistent with the overall development objectives of the Town and the particular neighborhood. These principles are intended as general tools for use by the Board of Appeals and Planning Board in reviewing projects and are not to be seen as inflexible standards. These guidelines are not to be applied in a manner which will place undue restraints upon the design of a project because of unforseen conditions peculiar to such project. If a particular development is proposed which departs from the general criteria in basic concept or in detail, the Board of Appeals may waive or modify the general cirteria upon a demonstration that the proposed design is of high standards and that any departures from the general criteria will not violate the intent of the Zoning Bylaw or the Environmental Design Conditions.

SECTION 206 DISTRICT BOUNDARY INTERPRETATION

The Board of Appeals shall have the authority to interpret district boundaries where there is some question in interpretation of the rules in Section 400.03, or where boundaries on the ground are unclear or at variance with those on the Official Zoning Maps.

SECTION 207 (not used)

SECTION 208 DESIGN REVIEW BOARD

208.01 Establishment and Membership

208.02 Organization and Proceedings

208.03 Duties and Procedures of Design Review Board

208.01 Establishment and Membership

A Design Review Board is hereby established. Said Design Review Board shall consist of five (5) members who shall be appointed by the Selectmen in the manner prescribed herein. Members of the Design Review Board shall include, where possible in order of preference, an architect, a landscape architect, a designee of

the Planning Board, a lawyer, a realtor, a nominee of any of the local historical or pilgrim societies, or a contractor. Members shall serve for three (3) years or until their successors are appointed, except that of the five members first appointed two shall serve for two (2) years and two shall serve for the (1) year. Members may be removed for cause by the Selectmen following written charges and a properly advertised public hearing. Vacancies shall be filled forthwith by appointment by the Selectmen for the unexpired term of members whose positions become vacant.

208.02 Organization and Proceedings

The Design Review Board shall elect from among its members a Chairman, Vice Chairman, and shall arrange for the services of a Secretary and such other officers or employees as is deemed necessary. Each shall serve for a term of one (1) year. The Design Review Board shall adopt such rules and guidelines as are considered necessary to the conduct of its responsibilities which shall be a matter of public record. Meetings shall be held at the call of the Chairman and at such other times as the Board may determine.

The Board shall keep records of its proceedings showing the vote of each member on every question, of the fact of his absence or failure to vote, and the final decision of the Board. Records shall also be kept of all plans, photographs, and any other drawings or documents pertaining to each case, as well as all examinations, findings, determinations, and any other official action, including all reasons for all decisions and conditions prescribed; and all such items shall be a matter of public record.

208.03 Duties and Procedures of Design Review Board

The Design Review Board shall assist the Board of Appeals and Planning Board in reviewing all applications and plans for special permits as prescribed in Section 205 and in reviewing such other plans and applications as the Flanning Board or Board of Appeals may request. When reviewing plans for special permits the Design Review Board shall submit a written advisory report to the Flanning Board within twenty-one (21) days of the filing date of the special permit with the Board of Appeals, which report shall be transmitted to the Board of Appeals by the Planning Board. For uses subject to Environmental Design Conditions, Section 205.03, the Design Review Board shall evaluate the proposal with regard to the conditions prescribed therein and to other appropriate requirements of this Bylaw or of the Rules of the Board of Appeals. The Design Review Board may request meetings with the applicant and may enlist the services of appropriate assistants or consultants. Decisions of the Design Review Board shall be by simple majority and no final action shall be taken without the concurrance of at least three members. All decisions and reports of the Design Review Foard shall be advisory only.

SECTION 209 AMENDMENTS TO BYLAW, PROCEDURE

209.01 (not used)
209.02 Planning Board Study, Public Hearing and Recommendation
209.03 (not used)
209.04 (not used)
209.05 (not used)

209.02 Planning Board Study, Public Hearing and Recommendation All proposed amendments shall be submitted forthwith to the Planning Board for public hearing, study, and recommendation.

- A. <u>Public Hearing</u>. Within sixty-five (65) days of submission of an amendment request, the Planning Board shall hold one or more public hearings thereon properly advertised in accordance with Section 5, Chapter 40A of the General Laws.
- B. Study and Recommendation. After study of the proposed amendment and within twenty (20) days of the conclusion of public hearings, the Planning Board shall make a report and recommendations in writing to Town Meeting. Such recommendation shall include, but not be restricted to, the following considerations:
 - The need and justification for the change.
 - 2. When pertaining to a change in the district classification of any property, the effect of the change on the property and surrounding propertic and also the general amount of undeveloped land of the proposed classification in that district and in the Town.
 - 3. Whether such change would further or be in conflict with the purposes of this Bylaw and the general planning program of the Town.

SECTION 210 FEES, CHARGES, EXPENSES

The appropriate Town bodies having jurisdiction shall establish and may amond a schedule of fees to be paid to Town Clark for all zoning permits, certificates of occupancy, appeals, pertaining to the administration of this ordinance. Conschedule of fees shall be posted in the office of the Building Inspector and no permit or certificate shall be issued or any action taken until any required for have been paid.

PART III GENERAL REGULATIONS

| SECTION | 300 | LOT REGULATIONS |
|---------|-----|---|
| SECTION | 301 | NATURAL FEATURES CONSERVATION REQUIREMENTS |
| SECTION | 302 | CONSERVATION OF OPEN SPACE QUALITY |
| SECTION | 303 | BUFFERS BETWEEN LAND USES |
| SECTION | 304 | STREET CLASSIFICATION AND RELATED STANDARDS |
| SECTION | 305 | OFF-STREET PARKING |
| SECTION | 306 | OFF-STREET LOADING |
| SECTION | 307 | NON-CONFORMITIES |
| SECTION | 308 | REMOVAL OF PUBLIC NUISANCES |
| SECTION | 309 | SPECIAL PERMIT USES |
| SECTION | 310 | PLANNED UNIT DEVELOPMENT |
| SECTION | 311 | MOBILE HOME PLANNED UNIT DEVELOPMENT |
| SECTION | 312 | BONUS INCENTIVES |

SECTION 300 LOT REGULATIONS

| Lot Requirements For One Use Only |
|---|
| Visibility |
| Accessory Buildings |
| Number Of Buildings On A Lot |
| Buildings To Have Access |
| Public Nuisances in Yards Abutting Public Streets |
| Building Siting and Topography |
| Front Setbacks in Residential Zones |
| Height |
| Frontage Reduction |
| |

300.01 Lot Requirements For One Use Only

No part of a yard or other open space, off-street parking or loading space, or other accessory space required in connection with any building shall be included as part of requirements set forth for any other building unless otherwise specifically provided.

300.02 Visibility

(}

In all zones on any corner lot there shall be no obstruction of vision between theight of three (3) feet and ten (10) feet by any building, wall, fence, hedge, or other construction or plant material within a triangular area formed by the intersecting street right of way lines and a straight line joining said right of way lines at points fifteen (15) feet from the intersection in residential districts or ten (10) feet in other districts. Where no right of way exists, points on the street edges thirty (30) feet from the intersection shall be used. Exceptions may be made for utility and lighting poles, traffic signs, and trees (the branches of which are to be kept trimmed to a height of ten feet).

- 1. For each one foot difference between the street level and principal floor level, the structure shall be set back a minimum of fifteen (15) feet from the edge of the street pavement (or traveled area if not paved) up to a maximum of four (4) feet difference in elevation beyond which point the structure shall be set back twenty (20) feet for each additional foot difference in elevation.
- 2. The finish grade of the lot at the front wall shall not be more than three (3) feet below the principle floor level and shall slope from the front wall of the structure at least one (1) foot for a distance of ten (10) feet.
- 3. For structures set back more than one hundred twenty (120) feet, these regulations shall not apply.

Off-street parking and loading areas, as required under Sections 305 and 306, shall be provided in a safe and appropriate manner which does not create on-site problems or traffic hazards or inconvenience.

300.08 Front Setbacks in Residential Zones

In order to prevent visual monotony in residential areas, no more than three (3) contiguous lots shall have principal residential structures set back the same distance from the street. No principal structure shall be built closer to the street than the minimum dimension prescribed.

300.09 Height

No structure shall be built, constructed, erected, or added to above a height of thirty-five (35) feet; except utility poles, which shall not be more than forty-one (41) feet; without a special permit from the Board of Appeals, after a finding by the Board that there is no feasible alternative to the proposed height, that it is the minimum necessary, that there is a clear and specific public benefit which may be realized only by exceeding 35' in height, and that the proposed structure will not in any way detract from the visual character or quality of the adjacent buildings, the neighborhood or the Town as a whole.

SECTION 302 CONSERVATION OF OPEN SPACE QUALITY

302.01 SIGNS

A. INTENT.

VISUAL QUALITY AND HISTORIC CHARACTER OF THE TOWN OF PLYMOUTH. IT IS THE INTENT OF SECTION 302.01 TO DO SO BY REGULATING ALL SIGNS, BILLBOARDS, ADVERTISING DEVICES AND ANY OTHER DEVICES FOR VISUAL COMMUNICATION. THE FOLLOWING REGULATIONS HAVE BEEN DESIGNED TO ENCOURAGE MODEST SIGNS OF HIGH QUALITY WHICH IDENTIFY THE USE OR OCCUPANCY OF LAND AND STRUCTURES IN THE TOWN AND TO CAREFULLY CONTROL THE SIZE, PLACEMENT, CONTENT, AND OTHER CHARACTERISTICS OF ALL SIGNS.

B. DEFINITIONS.

AS USED HEREIN, THE FOLLOWING WORDS AND TERMS SHALL HAVE THE FOLLOWING MEANINGS:

1. ACTIVITY.

A HOUSEHOLD, BUSINESS, OR CORPORATE ENTITY.

2. SIGN.

ANY LETTER, WORD, SYMBOL, DRAWING, PICTURE, DESIGN, DEVICE, ARTICLE, OBJECT, OR BILLBOARD THAT ADVERTISES, CALLS ATTENTION TO OR INDICATES ANY PERSONS, PRODUCTS, BUSINESSES OR ACTIVITIES AND WHICH IS VISIBLE TO THE GENERAL PUBLIC, WHATEVER THE NATURE OF THE MATERIAL AND MANNER OF COMPOSITION OR CONSTRUCTION. SIGNS ARE HEREBY FURTHER CLASSIFIED INTO THE FOLLOWING CATEGORIES:

3. IDENTIFICATION SIGN.

ANY SIGN THAT WITH RESPECT TO THE PREMISES ON WHICH IT IS ERECTED, ADVERTISES OR INDICATES ONE OR MORE OF THE FOLLOWING: THE PERSON OR ACTIVITY OCCUPYING THE PREMISES OR THE TYPE OF BUSINESS TRANSACTED ON THE PREMISES, OR THE SALE OR LETTING OF THE PREMISES OR ANY PART THEREOF, AND WHICH CONTAINS NO OTHER ADVERTISING MATTER. IDENTIFICATION SIGNS FOR PERMITTED NON-RESIDENTIAL USES MAY INCLUDE AN ANNOUNCE-MENT BULLETIN SECTION WHOSE CONTENT MAY CHANGE WITHOUT ISSUANCE OF A NEW PERMIT.

IDENTIFICATION SIGNS ARE HEREBY CLASSIFIED INTO THE FOLLOWING CATEGORIES:

3A. ARCHITECTURAL SIGN. AN IDENTIFICATION SIGN WHICH IS ATTACHED PARALLEL TO THE WALL OF A STRUCTURE IN WHICH THE MAIN ENTRANCE TO THE ACTIVITY BEING IDENTIFIED IS LOCATED AND WHICH DOES NOT PROJECT MORE THAN ONE (1) FOOT FROM SAID WALL.

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- 3B. SECONDARY ARCHITECTURAL SIGN. AN IDENTIFICATION SIGN WHICH IS ATTACHED PARALLEL TO
 THE WALL OF A STRUCTURE OVER A DIRECT CUSTOMER
 ENTRANCE TO THE ACTIVITY BEING IDENTIFIED IN
 A WALL OTHER THAN THE WALL WHERE THE MAIN
 ENTRANCE IS LOCATED AND WHICH DOES NOT PROJECT MORE THAN ONE (1) FOOT FROM SAID WALL.
- 3C. HANGING ARCHITECTURAL SIGN. AN IDENTIFICATION SIGN WHICH IS ATTACHED PERPENDICULAR TO THE WALL OF A STRUCTURE ABOVE OR ADJACENT TO THE MAIN ENTRANCE TO THE ACTIVITY BEING IDENTIFIED AND WHICH DOES NOT PROJECT MORE THAN FIVE (5) FEET FROM SAID WALL.
- 3D. FREE STANDING SIGN. AN IDENTIFICATION SIGN WHICH DOES NOT USE A BUILDING FOR STRUCTURAL SUPPORT. SUCH SUPPORTING STRUCTURE AS MAY BE REQUIRED TO SUPPORT SUCH A SIGN SHALL BE CONSIDERED AS PART OF THE SIGN AND SHALL BE REGULATED BY THIS SECTION OF THE BY-LAW IN ADDITION TO ANY OTHER SECTION WHICH MAY BE APPLICABLE.
- 3E. DIRECTORY SIGN. AN IDENTIFICATION SIGN WHICH IDENTIFIES THE NAME OF ONE OF THE TENANTS OR OCCUPANTS OF A BUILDING. MORE THAN ONE OF THESE SIGNS MAY BE COMBINED TO FORM A BUILDING DIRECTORY.
- 3F. BUILDING DIRECTORY. AN IDENTIFICATION SIGN COMPOSED OF SUCH DIRECTORY SIGNS AS MAY BE PERMITTED FOR THE TENANTS OR OCCUPANTS OF A BUILDING OR GROUP OF BUILDINGS, OR THE SPACE DESIGNATED FOR SAME PENDING TOTAL OCCUPANCY.
- AN IDENTIFICATION SIGN WHICH IS FURTHER CHARACTERIZED AS FOLLOWS:
- A. MATERIALS SIGNS SHALL BE CONSTRUCTED OF PAINTED OR NATURAL FINISH WOOD, AND SHALL DISPLAY PAINTED, ROUTED, OR RAISED WOOD LETTERS.
- B. PLACEMENT SIGNS SHALL BE PLACED SO AS NOT TO INTERRUPT THE SIGNIFICANT ARCHITECTURAL FEATURES OF A BUILDING INCLUDING BUT NOT LIMITED TO THE WINDOW OPENINGS, CORNICE LINE. AND ROOF LINE.
- C. CONSISTANCY THE SEVERAL SIGNS WHICH AN ESTABLISHMENT MAY ERECT ACCORDING TO THE PRO-VISIONS OF THIS BY-LAW SHALL DISPLAY A CON-SISTANT STYLE AND LETTERING.
- D. LIGHTING SIGNS SHALL BE INDIRECTLY LIT.

3G. HISTORIC SIGN.

4. NON-IDENTIFICATION SIGN.

A BILLBOARD SIGN, OR ADVERTISING DEVICE NOT LOCATED ON THE PREMISES OF THE ACTIVITY THE SIGN IDENTIFIES OR ANY OTHER SIGN WHICH IS NOT OTHERWISE HEREIN DEFINED.

SIGNS ARE REGULATED DIFFERENTLY DEPENDING ON WHETHER THEY ARE CLASSIFIED AS TEMPORARY OR PERMANENT.

5. TEMPORARY SIGN.

AN IDENTIFICATION SIGN WHICH IS ASSOCIATED WITH AN ACTIVITY OF A TEMPORARY NATURE OR A SIGN WHICH TEMPORARILY IDENTIFIES AN ACTIVITY OF A PERMANENT NATURE. TEMPORARY SIGNS ARE HEREBY CLASSIFIED INTO THE FOLLOWING CATEGORIES:

- 5A. SALE OR RENT SIGN. A SIGN WHICH DISPLAYS THE WORDS 'SALE' OR 'RENT' INDICATES THE NAME OF THE INDIVIDUAL BUSINESS OR CORPORATE ENTITY OFFERING THE PREMISES FOR SALE OR RENT.
- 5B. CONSTRUCTION SIGN. A SIGN WHICH IDENTIFIES THE OWNER, CONTRACTER, DESIGNER AND/OR ENGINEER ASSOCIATED WITH A PROJECT UNDER CONSTRUCTION.
- 5C. WINDOW SIGN. AN IDENTIFICATION SIGN WHICH IS PLACED IN ONE WINDOW OF A BUILDING CONTAINING AN ACTIVITY AND WHICH OCCUPIES NO MORE THAN THIRTY (30) PERCENT OF THE WINDOW WHICH IT OCCUPIES.
- 5D. SPECIAL EVENT SIGN. TEMPORARY SIGN FOR SPECIAL EVENTS SUCH AS FAIRS, CARNIVALS AND HOLIDAY CELEBRATIONS MAY BE AUTHORIZED BY SPECIAL PERMIT.

- 6. PERMANENT SIGN.
- 7. OPEN HOUSE SIGN.

ANY SIGN WHICH DOES NOT FALL INTO THE CATEGORIES FOR TEMPORARY SIGNS.

A SIGN OF PERMANENT MATERIALS WHICH IS DISPLAYED BY A MEMBER OF THE REAL ESTATE OR LAND DEVELOP-MENT COMMUNITY ON A SEMI-PERMANENT BASIS. OPEN HOUSE SIGNS ARE HEREBY CATEGORIZED AS FOLLOWS:

- 7A. ON PREMISES OPEN HOUSE SIGN. A SIGN WHICH IDENTIFIES THE DEVELOPMENT AND THE DEVELOPER AND REALTORS AT THE ENTRANCE TO A DEVELOPMENT. NO MORE THAN TWO (2) ENTRANCES MAY BE SIGNED ACCORDINGLY.
- 7B. OFF PREMISES OPEN HOUSE SIGN. A SIGN WHICH DISPLAYS ONLY THE WORDS 'OPEN HOUSE' AND A DIRECTIONAL ARROW. UP TO TWO (2) SUCH SIGNS MAY BE DISPLAYED BY A DEVELOPER OR REALTOR AT LOCATIONS APPROVED BY THE BOARD OF SELECTMEN

PROVIDED THAT ONLY ONE SUCH SIGN MAY BE DIS-PLAYED AT AN APPROVED LOCATION AT ANY TIME.

8. ICONOGRAPHIC SIGN.

A THREE DIMENSIONAL SIGN SUCH AS A CLOCK OR BARBER POLE ON WHICH LETTERING IS CLEARLY SUBORDINATE.

9. DIRECT LIGHTING.

ILLUMINATION OF ANY TYPE COMING FROM WITHIN A SIGN, OR FROM LIGHTS OR TUBES WHICH COMPRISE ANY PART OF THE DESIGN OR LETTERING OF A SIGN, OR WHICH ORIGINATES BEHIND A SIGN SO AS TO CREATE AN EFFECT OF ORIGINATING WITHIN THE SIGN.

10. INDIRECT LIGHTING.

ILLUMINATION OF A SIGN BY LIGHT SOURCE OUTSIDE THE SIGN AND SHINING AGAINST THE FACE OF THE SIGN.

FOR THE CONVENIENCE OF THE READER OTHER TERMS HAVE BEEN DEFINED IN OTHER PARTS OF THIS SECTION TO WHICH THEY SPECIFICALLY APPLY BUT SHALL NOT BE DEEMED LESS VALID BY REASON OF THEIR OMISSION FROM THIS PART. (SEE C-1 'SIZE'.)

C. PERMITS.

A SIGN MAY NOT BE DISPLAYED IN THE TOWN OF PLYMOUTH WITHOUT A ZONING PERMIT UNLESS SPECIFICALLY EXCEPTED HEREIN. WHEN A SIGN BEING APPLIED FOR IS IN CONNECTION WITH A USE OR STRUCTURE BEING CONSTRUCTED OR ALTERED AND REQUIRING A ZONING PERMIT, THE SIZE, LOCATION, AND DESIGN OF THE SIGN SHALL BE CONSIDERED AS AN INTEGRAL PART OF THE BUILDING DESIGN.

1. ADMINISTRATION.

THE FOLLOWING TABLE INDICATES THE TYPE OF PERMIT REQUIRED TO DISPLAY A SIGN OF A GIVEN PERMANENCY AND SIZE AND WHICH COMPLIES WITH THE OTHER REGULATIONS OF THIS SECTION:

FOR THE PURPOSES OF USING THIS TABLE THE SIZE OF A SIGN SHALL BE DETERMINED ACCORDING TO THE FOLLOWING DEFINITION:

SIZE. THE SIZE OF A SIGN SHALL BE DETERMINED AS THE AREA IN SQUARE FEET OF A SINGLE RECTANGLE WHICH CIRCUMSCRIBES THE ENTIRE FACE OF THE SIGN AND INCLUDES ALL COMPONENTS IF THERE ARE MORE THAN ONE WITH THE SINGLE EXCEPTION OF BUILDING DIRECTORIES WHICH, IF ASSOCIATED WITH AN IDENTIFICATION SIGN MAY BE CONSIDERED TO BE A SEPARATE SIGN FOR THE PURPOSE OF DETERMINING SIZE.

THE SIZE OF AN ICONOGRAPHIC SIGN SHALL BE DETERMINED AS THE AREA IN SQUARE FEET OF A SINGLE RECTANGLE WHICH ENTIRELY CIRCUMSCRIBES ITS LARGEST ELEVATION.

A SUPPORTING STRUCTURE SHALL NOT BE CONSIDERED TO CONTRIBUTE TO THE SIZE OF A SIGN PROVIDED THE SIZE OF SAID STRUCTURE ALONE DOES NOT EXCEED THIRTY (30) PERCENT OF THE SIZE OF THE SUPPORTED SIGN ALONE AND IS NOT DESIGNED AS AN ADVERTISING OR ATTENTION—GETTING DEVICE.

IF A DOUBLE FACED SIGN IS BEING MEASURED, THE SIZE OF THE SIGN SHALL MEAN THE SIZE OF ONE FACE OF SUCH A SIGN.

TABLE 302.01 - 1

| SIGN CLASS | | SIZE | NO PERMIT REQUIRED | ZONING PERMIT | SPECIAL PERMIT |
|--|----------------|--|-----------------------|------------------|-------------------|
| PERMANENT SIGNS, EXCEPT HISTORIC SIGNS | A. B. C. | UP TO ONE (1) SF OVER ONE (1) SF BUT LESS THAN EIGHT (8) SF OVER EIGHT (8) SF | X | X | X |
| PERMANENT HISTORIC SIGNS | A. B. C. | UP TO ONE (1) SF OVER ONE (1) SF BUT LESS THAN FIFTEEN (15) SF OVER FIFTEEN (15) SF | x | x | x |
| TEMPORARY SIGNS | A. B. C. | UP TO FIVE (5) SF OVER FIVE (5) SF FOR SPECIAL EVENTS | X | x | x |
| OPEN HOUSE SIGNS (SEMI-PERMANENT) | Α. | EXACTLY SIX (6) SF | | x | |

2. DURATION OF PERMITS.

PERMANENT SIGNS. PERMITS FOR PERMANENT SIGNS REMAIN IN EFFECT UNTIL THERE IS A CHANGE IN THE PERSON, PERSONS, OR BUSINESS OR CORPORATE ENTITY ENGAGING IN AN ACTIVITY, UNTIL THE CONTENT OF A SIGN IS ALTERED, UNTIL A SIGN IS RECONSTRUCTED OR MAINTAINED IN SUCH A WAY AS TO REPLACE FIFTY (50) PERCENT OF ITS MATERIAL, OR UNTIL A SIGN IS NOT DISPLAYED ON ITS PERMITTED LOCATION FOR A PERIOD OF TIME EXCEEDING ONE WEEK.

DIRECTORY SIGNS. DIRECTORY SIGNS ARE EXEMPT FROM THESE REGULATIONS AND MAY BE REPLACED AS CHANGES IN OCCUPANCY DICTATE.

TEMPORARY SIGNS. PERMITS FOR TEMPORARY SIGNS REMAIN IN EFFECT FOR SIX (6) MONTHS BUT ARE NOT RENEWABLE. TEMPORARY SIGNS WHICH DO NOT REQUIRE A PERMIT SHALL ONLY BE DEEMED IN COMPLIANCE WITH THIS BY-LAW AT SUCH TIME AS THE BUILDING INSPECTOR IS NOTIFIED OF THE DATE OF THEIR PLACEMENT, AND THEIR LOCATION AND SUCH SIGNS MAY BE DISPLAYED FOR A MAXIMUM TIME OF SIX (6) MONTHS.

D. GENERAL REGULATIONS.

THE FOLLOWING REGULATIONS SHALL APPLY TO ALL SIGNS ERECTED UNDER THIS BY-LAW UNLESS SPECIFICALLY EXCEPTED BY SECTION 302.01 E SPECIAL REGULATIONS.

1. LIGHTING.

ANIMATED OR FLASHING SIGNS SHALL NOT BE PEP-MITTED IN ANY DISTRICT. SPECIAL EXCEPTIONS MAY BE AUTHORIZED BY SPECIAL PERMIT FOR SHORT TERM DISPLAYS SUCH AS FAIRS, CARNIVALS, PARADES, AND SEASONAL CELEBRATIONS. STRINGS OF FLAGS, SPINNERS, REFLECTERS, LIGHTS OR SIMILAR DEVICES THAT TEND TO UNDULY DIVERT DRIVER ATTENTION FROM THE ROAD SHALL NOT BE PERMITTED. NO RED OR GREEN LIGHTS SHALL BE USED ON ANY SIGN IF SUCH LIGHT WOULD CREATE A DRIVING HAZARD.

EXPOSED ILLUMINATED GAS TUBE SIGNS ARE PROHIBITED IN ALL ZONES. LIGHTING OF SIGNS SHALL BE DESIGNED SO THAT NO PORTION OF THE LIGHT-EMITTING DEVICE (BULB, TUBES, ETC.) IS VISIBLE FROM ADJACENT PROPERTIES OR TRAVELLED WAYS.

THE ILLUMINATION OF SIGNS BY OTHER THAN IN-DIRECT MEANS IN RESIDENTIAL AREAS IS PROHIBITED AFTER 11:00 P.M.

DECORATIVE LIGHTING IS PERMITTED IN ALL ZONES FOR A MAXIMUM OF THREE (3) MONTHS EACH YEAR.

LOUD NOISE SHALL NOT BE PART OF ANY SIGN. HOWEVER, SOUND THAT REACHES THE PUBLIC FROM AN ESTABLISHMENT MAY BE PERMITTED IF IT IS NOT USED AS AN ADVERTISING OR AN ATTENTION GETTING DEVICE. SUCH THINGS AS CLOCK CHIMES AND SEASONAL MUSIC ARE EXAMPLES OF SOUND WHICH MAY BE PERMITTED.

EXCEPT AS OTHERWISE FURTHER LIMITED, THE HEIGHT OF THE TOP OF A SIGN SHALL NOT EXCEED FIFTEEN (15) FEET ABOVE THE GROUND OR THE HEIGHT OF THE ROOF LINE OF THE BUILDING IF ATTACHED THERETO WHICHEVER IS SMALLER, EXCEPT IN ARTERIAL

2. SOUND.

3. HEIGHT.

COMMERCIAL AND INDUSTRIAL ZONES IN WHICH CASE THE TOP OF A SIGN SHALL NOT EXCEED TWENTY FIVE (25) FEET FROM THE GROUND OR THE HEIGHT OF THE ROOF LINE WHICHEVER IS SMALLER.

FOR FREE-STANDING SIGNS, EXCEPT AS OTHERWISE FURTHER LIMITED, THE HEIGHT OF THE TOP OF A SIGN SHALL NOT EXCEED FIFTEEN (15) FEET FROM THE GROUND EXCEPT IN ARTERIAL COMMERCIAL AND INDUSTRIAL ZONES IN WHICH CASE THE TOP OF A SIGN SHALL NOT EXCEED TWENTY FIVE (25) FEET FROM THE GROUND.

PRIVATE SIGNS ATTACHED TO BUILDINGS SHALL NOT PROJECT OVER PUBLIC STREETS AND SHALL PROJECT NO MORE THAN FIVE (5) FEET OVER PUBLIC WALKS AND RIGHTS-OF-WAYS. NO SIGN WHETHER PERMANENT OR TEMPORARY SHALL BE ERECTED IN, OR AFFIXED TO ANY OBJECT IN A PUBLIC RIGHT-OF-WAY UNLESS SPECIFICALLY EXCEPTED BY THIS BY-LAW. PERMISSION TO AFFIX SUCH SIGNS MUST BE OBTAINED IN WRITING FROM THE AGENCY CONTROLLING THE OBJECT TO WHICH THE SIGN IS TO BE AFFIXED AND SHALL BE SUBMITTED WITH THE APPLICATION.

ALL FREE-STANDING SIGNS EXCEPT THOSE ASSOCIATED WITH RESIDENCES, HOME OCCUPATIONS, AND RES-IDENCE TO OFFICE CONVERSIONS SHALL ALWAYS BE PLACED PERPENDICULAR TO THE ADJACENT STREET NOTLESS THAN FIVE (5) FEET FROM THE RIGHT-OF-WAY OF A MINOR STREET, NINE (9) FEET FROM THE RIGHT-OF-WAY OF A COLLECTOR STREET, AND FOURTEEN (14) FEET FROM THE RIGHT-OF-WAY OF A MAJOR STREET. NO SUCH SIGN SHALL BE PLACED WITHIN THE LIMITS OF A VISIBILITY TRIANGLE AS DEFINED BY SECTION 300.02 OF THIS BY-LAW.

IN ADDITION TO OTHER REGULATIONS OF THIS SECTION, THE FOLLOWING RESTRICTIONS SHALL APPLY TO SIGNS ERECTED IN WETLANDS AREAS:

- A. PREDOMINANT CONSTRUCTION MATERIAL OF SIGNS SHALL BE WOOD.
- B. SIGNS SHALL BE ILLUMINATED BY INDIRECT LIGHTING ONLY. EXPOSED LIGHTING OF LOW INTENSITY MAY BE AUTHORIZED BY SPECIAL PERMIT.

ALL SIGNS, WHETHER ERECTED BEFORE OR AFTER THE EFFECTIVE DATE OF THIS BY-LAW, SHALL MAIN-TAINED IN A SAFE CONDITION TO THE SATISFACTION OF THE BUILDING INSPECTOR.

4. LOCATION.

5. ZONE: WETLANDS.

6. MAINTENANCE.

E. CONFORMING IDENTIFICATION SIGNS.

The following tables list the only types of signs which may be legally erected in Plymouth by the principle activity occupying the lot or building unless expressly permitted in another part of this By-law. Where reference #3 is used, it shall be interpreted to mean any one of the various categories of identification signs: 3A-3G.

TABLE 302,01 - 2

Residential activities in residential or non-residential zones may erect signs from each of the following categories: _•

| LOCATION | Not specified | Not specified | Not specified | Not specified |
|-----------------------------------|---------------------|---------------------------------|------------------------|-------------------------------|
| | Not | Not | Not | Not |
| PERMANENCY | j | - | ⊢ | ٩ |
| MAX. SIZE IN S.F. | ۲. | 5 32 (multi- family only) | Up to 30% SF of window | 5 |
| NUMBER PERMITTED | | l per street frontage | · _ | - |
| DESCRIPTION | A sale or rent sign | A construction sign | and A window sign | and An identification sign |
| DEFINITION REFERENCE NUMBER | I. 5A. | 58° | •26• | 11. 3. |

TABLE 302.01 - 2

2. Non-residential activities in residential zones may erect signs from each of the following categories:

| LOCATION | Not specified | Not specified | Not specified | Not specified | Free standing | Not specified | At locations approved by Board of Selectmen |
|-----------------------------------|---------------------|--------------------------|---------------------------|------------------------|---|--|--|
| PERMANENCY | ۰ | - | ⊢ | ۵ | ۵ | - | ⊢ |
| MAX. SIZE IN S.F. | ٠. | 32 | Up to 30% SF of window | 10 | 20 | Exactly 6 SF | Exactly 6 SF |
| NUMBER PERMITTED | - | l per street frontage | - | 2 | - | 8 | 2 |
| DESCRIPTION | A sale or rent sign | A construction sign | and A window sign | An identification sign | An identification sign for apartment buildings, PUD'S, or Subdivision Associations | On premise open house sign for developments | Off premises open house sign for develop-ments |
| DEFINITION REFERENCE NUMBER | I. 5A. | 5B. | •26• | 111. 3. | 30° | IV. 7A. | 78. |

TABLE 302.01 - 2

3. Non-residential activities in non-residential zones may erect the following signs:

| | | | | | | | pproved !lectmen |
|-----------------------------------|---------------------|--------------------------|---------------------------|------------------------|---|---|--|
| LOCATION | Not specified | Not specified | Not specified | Not specified | Free standing | Not specified | At locations approved by Board of Selectmen |
| PERMANENCY | . | ⊢ | - | <u> </u> | D. | - | ۰ |
| MAX. SIZE IN S.F. | ۲v | 32 | Up to 30% SF of window | 10 | 20 | Exactly 6 SF | Exactly 6 SF |
| NUMBER PERMITTED | - | l per street frontage | · - | 2 | - | 8 | 7 |
| DESCRIPTION | A sale or rent sign | A construction sign | A window sign | An identification sign | An identification sign for apartment buildings, PUD'S, or Subdivision Associations | An on premises open house sign for develop- ments | An off premises open house sign for developments |
| DEFINITION REFERENCE NUMBER | I. 5A. | 58• | • 26• | III. 3. | 30. (See also below) | IV. 7A. | 7B. |

NON-RESIDENTIAL ACTIVITIES IN NON-RESIDENTIAL ZONES MAY, IN LIEU OF THE SIGNS PERMITTED IN CATEGORY III, ERECT SIGNS FROM EACH OF THE FOLLOWING CATEGORIES V, VI, & VII;

| LOCATION | -BOTTOM NO LOWER THAN 9 FEET FROM GROUND, TOP NO HIGHER THAN 15 FEET FROM GROUND, | -ADJACENT TO PARKING LOT ENTRANCEFREE STANDING -BOTTOM NO LOWER THAN 7 FEET FROM GROUND. TOP NO HIGHER THAN 15 FEET FROM GROUND | -ADJACENT TO PARKING LOT ENTRANCEFREE STANDING -BOTTOM NO LOWER THAN 7 FEET FROM GROUND. TOP NO HIGHER THAN 25 FEET FROM GROUND | -ADJACENT TO PARKING LOT ENTRANCEFREE STANDING -BOTTOM NO LOWER THAN 7 FEET FROM GROUND. TOP NO HIGHER THAN 25 FEET FROM GROUND | -PARALLEL TO WALL -BOTTOM NO LOWER THAN 9 FEET FROM GROUND. TOP NO HIGHER THAN 12 FEET FROM GROUND |
|-----------------------------------|---|---|---|---|--|
| PERMANENCY | ۵ | ۵. | ۵. | ۵ | ۵. |
| MAX. SIZE IN S.F. | 10 (20 SF 1N AC OR L! ZONES.) | 10 | 20 | 50 | 1 SF PER FOOT UF ACTIVITY BUILDING FRONTAGE |
| NUMBER PERMITTED | _ | . · · · · · · · · · · · · · · · · · · · | | - | - |
| DESCRIPTION | HANGING ARCHITECTURAL SIGN | A FREE STANDING SIGN FOR A SINGLE ACTIVITY OR GROUP OF ACTIVITIES SHARING A PARKING LOT | A FREE STANDING SIGN FOR A SINGLE ACTIVITY OR GROUP OF ACTIVITIES SHARING A PARKING LOT IN AN A.C. OR L.I. ZONE ONLY | A FREE STANDING SIGN FOR A SHOPPING CENTER | AN ARCHITECTURAL SIGN |
| DEFINITION REFERENCE NUMBER | v. 3c. | 30. | 30. | 30. | VI. 3A. |

| LOCATION | -ADJACENT TO EXTRA CUSTOMER ENTRANCEPARALLEL TO WALL -BUTTOM NO LOWER THAN 9 FEET FROM GROUND. TOP NO HIGHER THAN 12 FEET FROM GROUND | ON A WALL ADJACENT TO MAIN ENTRY | COMBINED WITH FREE STANDING SIGN PROVIDED THAT THE SIGNS IN COMBINATION RESPECT THE LOCATION GUIDELINES FOR THE FREE STANDING SIGN. | COMBINED WITH THE FREE STANDING SIGN PROVIDED THAT THE SIGNS IN COMBINATION RESPECT THE LOCATION GUIDE— LINES FOR THE FREE STANDING SIGN | ON A WALL ADJACENT TO MAIN ENTRY WITHIN BUILDING DIRECTORY, BUT NOT TO EXCEED AREA OF DIRECTORY |
|-----------------------------------|---|----------------------------------|---|--|--|
| PERMANENCY | ۵ | ۵ | | ۵. | <u>a</u> . |
| MAX. SIZE IN S.F. | 0. | 10 | 2 SF PER TENANT OR OCCUPANT UP TO 10 SF | 3 SF PER TENANT OR OCCUPANT UP TO 20 SF | - |
| NUMBER PERMITTED | NOT SPECIFIED | | - | · | AS RE- QUIRED |
| DESCRIPTION | AND A SECONDARY ARCH!- TECTURAL SIGN | A BUILDING DIRECTORY | OR A BUILDING DIRECTORY FOR ACTIVITIES WITH FREE STANDING SIGNS | A BUILDING DIRECTORY FOR SHOPPING CENTERS | A DIRECTORY SIGN |
| DEFINITION REFERENCE NUMBER | 3 8 . | VIII. 3F. | 3F. | 3F. | 3E. |

TABLE 302.01 - 2

F. CONFORMING NON-IDENTIFICATION SIGNS.

NON-IDENTIFICATION SIGNS ARE NOT PERMITTED IN RESIDENTIAL OR WATERFRONT ZONES, AND ARE NOT PERMITTED ON THE PREMISES OF ANY USE OR ESTABLISHMENT. IN ALL OTHER ZONES, NO NON-IDENTIFICATION SIGN SHALL BE ERECTED:

1. LOCATION: LESS THAN 8' LONG OR 4' HIGH WITHIN FIFTY(50) FEET OF ANY PUBLIC RIGHT-OF-WAY OR WITHIN ONE HUNDRED (100) FEET OF THE RIGHT-OF-WAY OF ANY LIMITED ACCESS HIGHWAY.

2. LOCATION: MORE THAN 8' LONG OR 4' HIGH

NEARER THAN ONE HUNDRED (100) FEET TO ANY PUBLIC RIGHT-OF-WAY, IF WITHIN VIEW OF ANY PORTION OF THE SAME, IF SUCH BILLBOARD, SIGN, OR OTHER ADVERTISING DEVICE SHALL EXCEED A LENGTH OF EIGHT (8) FEET OR A HEIGHT OF FOUR (4) FEET.

3. LOCATION: MORE THAN 25' LONG OR 10' HIGH NEARER THAN THREE HUNDRED (300) FEET TO ANY PUBLIC RIGHT-OF-WAY IF WITHIN VIEW OF ANY PORTION OF THE SAME, IF SUCH BILLBOARD, SIGN, OR OTHER ADVERTISING DEVICE SHALL EXCEED A LENGTH OF TWENTY-FIVE (25) FEET OR A HEIGHT OF TEN (10) FEET.

4. LOCATION: INTERSECTION ON ANY LOCATION AT THE CORNER OF ANY PUBLIC WAYS AND WITHIN A RADIUS OF ONE HUNDRED FIFTY (150) FEET FROM THE POINT WHERE THE CENTER LINES OF SUCH WAYS INTERSECT.

5. LOCATION:
OTHER NONIDENTIFICATION
SIGN

NEARER THAN TWO HUNDRED (200) FEET TO ANY OTHER SUCH NON-IDENTIFICATION BILLBOARD, SIGN, OR OTHER ADVERTISING DEVICE, UNLESS SUCH BILLBOARDS, SIGNS, OR OTHER ADVERTISING DEVICES ARE PLACED BACK TO BACK.

6. LOCATION:
PARK; PLAYGROUND;
PUBLIC GROUNDS

WITHIN THREE HUNDRED (300) FEET OF ANY PUBLIC PARK, PLAYGROUND, OR OTHER PUBLIC GROUNDS, IF WITHIN VIEW OF ANY PORTION OF THE SAME.

7. SIZE: MAXIMUM

THAT EXCEEDS TWO HUNDRED (200) SQUARE FEET IN AREA OR TWENTY-FIVE (25) FEET IN HEIGHT.

- G. SPECIAL REGULATIONS.
- 1. SERVICES TO MOTORISTS.

HEIGHT. BUSINESSES PROVIDING ESSENTIAL SERVICES TO A LIMITED ACCESS HIGHWAY MAY ERECT A FREE STANDING SIGN THE TOP OF WHICH MAY NOT EXCEED THIRTY-FIVE (35) FEET IN HEIGHT BY OBTAINING A SPECIAL PERMIT FROM THE BOARD OF APPEALS. SUCH BUSINESSES ARE SHOPPING CENTERS AND THOSE OFFERING FOOD, FUEL, AND LODGING.

FILLING STATION. GASOLINE FILLING STATIONS AND GARAGES MAY DIVIDE THE ONE ARCHITECTURAL SIGN AFFIXED TO THE FRONT WALL OF THE BUILDING, TO WHICH THEY ARE ENTITLED AS HEREINABOVE PROVIDED, INTO SEPARATE SIGNS AFFIXED TO AND PARALLEL TO SUCH WALL AND INDICATING THE SEP-ARATE OPERATIONS OR DEPARTMENTS OF THE BUSINESS. IN ADDITION, ONE SIGN STANDING OR OTHERWISE INDICATING THE COMPANY WHOSE GASOLINE IS BEING SOLD MAY BE ERECTED OF SUCH TYPE, IN SUCH LOCATION, AND IN SUCH MANNER AS IS OTHERWISE PERMITTED. THE STANDARD TYPE OF GASOLINE PUMP BEARING THEREON IN USUAL SIZE AND FORM THE NAME OR TYPE OF GASOLINE AND THE PRICE THEREOF SHALL NOT BE DEEMED TO BE IN VIOLATION OF THIS BY-LAW. TEMPORARY OR MOVABLE SIGNS OF ANY AND EVERY TYPE ARE SPECIFICALLY PRO-HIBITED.

OPEN LOT BUSINESSES. OPEN LOT BUSINESSES, SUCH AS AUTO SALES, IN WHICH THE SURROUNDING UNENCLOSED PROPERTY SERVES AS A MAJOR DISPLAY AREA MAY BASE THE AREA OF THE ARCHITECTURAL SIGN PERMITTED ON LOT FRONTAGE SUCH THAT THE SIGN AREA DOES NOT EXCEED ONE (1) SQUARE FOOT PER FOOT OF LOT FRONTAGE, BUT NOT TO EXCEED THIRTY-TWO (32) SQUARE FEET FOR EACH ONE HUNDRED (100) FEET OF FRONTAGE.

SUCH USES OR ESTABLISHMENTS MAY DISPLAY ONE ARCHITECTURAL OR HANGING ARCHITECTURAL SIGN WITH AN AREA OF UP TO FIVE (5) SQUARE FEET PER FACE PROVIDED THAT THIS SIGN OR SIGNS AND THE SIGNS OTHERWISE PERMITTED FOR THE FIRST FLOOR ESTABLISHMENTS DO NOT IN COMBINATION EXCEED THE DIMENSIONAL LIMITS FOR PLACEMENT OF SIGNS FOR THE FIRST FLOOR ESTABLISHMENTS.

AN ICONOGRAPHIC SIGN MAY BE ERECTED IN LIEU OF A SIGN OTHERWISE PERMITTED BY THIS BY-LAW IF IT MEETS THE DIMENSIONAL REGULATIONS FOR THE SIGN FOR WHICH IT IS BEING SUBSTITUTED.

 USES OR ACTIVITIES ABOVE FIRST FLOOR.

- 3. ICONOGRAPHIC SIGNS.
- H. NOT USED.
- 1. NOT USED.

NON-CONFORMITIES

1, NON-CONFORMING SIGNS:

ALL SIGNS LEGALLY ERECTED BEFORE THE ADOPTION OF SECTION 302.01 SIGNS, OF THE ZONING BY-LAW MUST COMPLY WITH THE PROVISIONS OF SECTION 302.01, AS AMENDED, NO LATER THAN JANUARY 1, 1977, ALL PRIOR REQUIREMENTS IMPOSED BY PREVIOUS VERSIONS OF THIS BY-LAW TO THE CONTRARY NOT—WITHSTANDING, EXCEPT THAT ALL SIGNS MUST BE MADE TO COMPLY WITH THE PROVISIONS OF SECTION 302.01, D-1, ILLUMINATION WITHIN ONE (1) YEAR AFTER THE EFFECTIVE DATE OF THIS BY-LAW.

NON-CONFORMING USES:

SIGNS ASSOCIATED WITH NON-CONFORMING USES SHALL BE REGULATED ON THE BASIS OF THE RESTRICTIONS FOR THE DISTRICT IN WHICH SUCH USE WOULD BE PERMITTED UNDER THESE BY-LAWS. THE GENERAL REGULATIONS SHALL STILL APPLY, AS SHALL THE PROVISIONS CONCERNING NON-CONFORMING SIGNS, ABOVE.

SECTION 306 OFF-STREET LOADING

306.01 New Structures or Enlargements

306.02 (not used)

306.03 Entrance and Exit Points

306.04 Setbacks From Street, Screening

306.05 Design Standards

306.01 New Structures or Enlargements

At the time or erection of any principal building or enlargement of any principal building or the establishment of any open use of land, there shall be adequate off-street loading/unloading spaces provided for the servicing of the following types of uses, and located on the same lot as the building they are intended to serve, as follows:

Loading Spaces Required Per 1,000 Square Feet of Floor Area

| Uses | 2-15 | 15-50 | 50-100 | 100-150 | Over 150 |
|---|------|-------|--------|---------|---|
| Retail trade, wholesale and storage, industry, communication and utilities | 1 | 2 | 3 | 4 | l space for each additional 150,000 square feet |
| Consumer services, hotel and dormi- tory, institutional, educational | 1 " | 1 | 2 | 3 | · |

306.03 Entrance and Exit Points

Lot entrance and exit drive curb cuts shall be not more than thirty (30) feet in width. Curb cuts shall be not less than twenty-five (25) feet apart, provided however this distance shall be increased should the lot frontage on a street permit such increase. Entrance and exit drives shall be located at least fifty-five (55) feet from a street intersection. When feasible, business establishments on contiguous lots are encouraged to consolidate entrance and exit points. Provisions shall be made to prevent entrances or exits from other than designated entrance or exit drives.

306.04 Setbacks From Street, Screening

All off-street loading/unloading spaces and their respective maneuvering areas shall be set back not less than ten (10) feet from the right of way line of any street, and such areas shall have landscaping or ground cover. In any Transitional Commercial, Neighborhood Commercial zone or for any use adjacent to or facing any residential property, the required loading space shall be screened by thick evergreen planting or suitable walls or fences to a height not less than six (6) feet.

306.05 Design Standards

Each space shall not be less than twelve (12) feet in width and not less than forty-five (45) feet in length. Height clearance shall not be less than fourteen (14) feet. In all cases, required loading/unloading space shall not encroach on customer parking, employee parking, or maneuvering space.

All off-street loading/unloading spaces shall be provided with adequate off-street maneuvering areas so that it will not be necessary for vehicles to use a public right of way in maneuvering into a loading/unloading space and so that egress from such areas will not require backing into public streets.

Off-street loading/unloading areas, maneuvering areas, and passageways established in connection with such facilities shall be paved with plant mix asphalt, double surface treatment, or other equally satisfactory hard surface paving and shall be provided with adequate drainage facilities.

SECTION 401 DISTRICT REGULATIONS

| 401.01 | General | |
|--------|-------------------------|--------|
| 401.02 | Wetlands Areas | WA |
| 401.03 | Rural Residential | RR |
| 401.04 | Large Lot Residential | R-40 |
| 401.05 | Medium Lot Residential | R-25 |
| 401.06 | Small Lot Residential | R-20SL |
| 401.07 | Mixed Density | R-20MD |
| 401.08 | Multi-Family | R-20MF |
| 401.09 | Waterfront | WF |
| 401.10 | Neighborhood Commercial | NC · |
| 401.11 | Transitional Commercial | TC |
| 401.12 | General Commercial | GC |
| 401.13 | Arterial Commercial | AC |
| 401.14 | Light Industrial | LI |
| 401.15 | Airport | AP |

Section 401.01 General

Regulations applying to each zoning district are contained in Sections 401.02 through 401.15 inclusive which are presented in text and table form.

Where subsections are duplicated in both text and table, the more detailed provisions of the text shall govern. All subsections entitled "Intent" and "Prohibited Uses" are provided to give the Building Inspector and the Board of Appeals and other responsible Town agents guidelines to aid in applying districegulations, and especially in reviewing special permit applications.

If any proposed use is not specifically referred to in any of the subsections in the mone in question, the Building Inspector shall be responsible for determining whether the proposed use should be classified as an allowed use or a special permit use or a prohibited use, based on similarities of use or structures. Where the appropriate classification cannot be clearly determined, the Building Inspector shall certify the proposed use as prohibited and the decision may be appealed to the Board of Appeals.

| DISTRICT | INTENT OF DISTRICT | ALLOWED USE: | SPECIAL PERMIT USES ⁴ | PROHIBITED USES |
|--|--|--|--|---|
| 401.06 R20SL Small Lot Residential | .To provide areas where smaller lots of ample size may be available, consistent with the size and character of existing nearby lots | .All uses allowed in R-40 | .Same as R-25 .Reduction of lot size to 15,000 sq.ft. | .Same as R-40 |
| 401.07 R-20MD Medium Density Residential | .To provide areas in which medium density multi-family homes may be built. To insure a high quality residential environment through rigorous standards and adequate review | .All uses allowed in R-2OSL | .Same as R-25 except reduction of lot .Planned Residen- tial Development 5 du's/acre avg. max. | .Same as R-40 |
| 401.08 R-ZOMF Multi- Family .esidential | .To encourage compact development, thus discouraging sprawling inefficient patterns of development .To broaden the choice of housing types available | .All uses allowed in R-20SL | .Same as R-20MD .Multi-family and Single family attached dwellings max. 12 du's/acre | .Same as R-40 |
| 401.09 WF Waterfront | .To promote the development of land uses and activities which are appropriate to the waterfront. To require coordination of site plans and pedestrian circulation, and compatibility with the adjacent historic area | .Boat sales, service, repair, rental .Commercial fishing | Restaurants, recreation, motel, specialty shopping, similar compatible facilities which complement and strengthen the function of the waterfront area. Multi-family and Single family attached dwellings | Any uses, in- cluding most General Commer- cial facilities, which are not compatible with the intended use or function of the water- front or do not fit into the desired pattern of activity |

NOTES:

- Lot width may be reduced in RR, R-40, R-25 zones if lot is kept wooded, Section 312 Bonus Incentives. Lot width shall be determined as a function of the type of street providing frontage in accord with Table #1, Section 304.
- Side yard depth variable to allow improved utilization of open space. Optional in R-40, R-25, R-20SL, R-20MD, and R-20MF zones subject to special permit review. Mandatory for all lots of less than 20,000 including Planned Unit Developments.

| MINIMUM LOT SIZE | MIN. LOT DIMENSIONS ¹ | MIN. SIDE ₂ Y AR D | MIN. FRONT 3 YARD | MIN. REAR YARD | MAX. LOT COVERAGE/ MAX. F.A.R. | Maximum Height |
|--|--|--|-------------------------|----------------------|--------------------------------------|----------------------|
| 20,000 sq.ft. | Width 90' | 15' single | | 30' | 25%/N.A. | 3 stories |
| 30,000 sq.ft. two-family | Depth 150' 75' width | 35' total variable | 30' min. | | - ' | 35 feet |
| 15,000 sq.ft. by special permit | by special permit | by special permit | | , | | |
| 15,000 sq.ft. cluster | | | | · | | |
| 20,000 sq.ft. | Width 90' | 15' single | | 301 | 25 %/N.A. | 3 stories |
| 30,000 sq.ft. two-family | Depth 150' | 35' total variable by | 30' min. | | | 35 feet |
| 15,000 sq. ft. cluster | | special permit | | | | |
| 20,000 sq.ft. 30,000 sq.ft. two-family 15,000 sq.ft. cluster | Width 90' Depth 150' | 15' single 35' total variable by special permit | 30° min. | 30' | 25%/N.A. | 3 stories 35 feet |
| 20,000 sq.ft. | 70' | 10' | 10' | 10' | 50%/1.0 | 3 stories 35 feet |
| Does not apply for planned shopping complexes | Yard requirer for special pental Design | permit uses s | | | s | 33 1566 |

^{3.} Variety in front yard depth is mandatory for all residential lots, see Section 300.08.

^{4.} Certain special permit uses including all multi-family dwellings and PUD subject to additional Environmental Design Conditions.

Buildings shall not normally be sited in even rows, at a uniform distance from a street, or spaced at equal intervals. Long linear streets or parking lots flanked by rows of buildings are specifically prohibited. Relationships between buildings and other site elements shall be very carefully designed; and arbitrary, odd angles between structures, edges of roads or parking lots, major pedestrian paths, and other major site features shall normally not be allowed except when such features are far enough apart not to conflict visually.

401.09 Waterfront

A. Intent. To encourage the development of marine, history or tourism related land uses and activities which take advantage of the peculiar characteristics of the waterfront as well as its central location in Plymouth Center and its proximity to the historic area.

To aid in revitalization of the central area by encouraging uses which attract people into the area and generate pedestrian-oriented activity.

To complement the seasonal nature of the waterfront and tourist areas by establishing uses of year-round activity and vitality.

To require special Environmental Design Conditions for special permit uses to insure, among other purposes, proper emphasis on a pedestrian environment, adequate pedestrian links between the proposed development and surrounding properties, high standards of site planning, architectural design which is compatible with the adjoining historic area.

B. Allowed Uses.

- Boat sales, service, rentals, ramps and docks; commercial sightseeing or ferrying;
- 2. Marine railways, repair yards, storage yards, marine supply outlets;
- Commercial fishing and seafood wholesale or retail outlets and related uses.
- C. Special Permit Uses Subject to Environmental Design Conditions.
 - 1.. Restaurants and outdoor eating facilities;
 - Recreational, social, or cultural facilities such as theatre, playhouse, bandshell, outdoor pavilion, night club, community center;
 - 3. Hotel, motel, or other tourist related facility;
 - 4. Specialty shopping facilities such as art galleries, gift shops, antique shops, import shops, leather and natural goods stores, as part of a pedestrian-oriented shopping arcade or center; and including uses of a more general commercial nature which do not detract from the purposes of the waterfront and which are necessary to the economic viability of such a complex.

All dimensional and intensity requirements as provided in Section 401.08 hereof shall apply.

5. Multi-family and single family attached residential provided such complexes are designed not to preclude public access to and along the shoreline.

D. Prohibited Uses.

- Industrial uses;
- 2. General commercial uses not related to any of the stated purposes or activities of the waterfront which would not make appropriate use of its unique potential.

E. Dimensional and other Requirements.

- 1. See Table 5.
- 2. All uses, premises, and structures should be designed to allow pedestrian access to and along the shore for a minimum distance of ten (10) feet inland from the mean high water mark;
- 3. Minimum setback of major structures from mean high water mark shall be twenty-five (25) feet, unless the wetlands designation and regulations of Section 401.02 apply.

| Waterfront Development Parcel |
|---|
| |
| Dear Sir: |
| Submitted herewith are: |
| The deposit of \$1,000 in the form of; Completed HUD Form - HUD-6004; Credentials for the developer's team including architect's qualifications; and Proposal text and drawings. |
| We are interested in developing the above mentioned property. The architect we have retained for this development is |
| (Architect's Name) |
| |
| (Name of Firm) (Address) |
| We understand that the \$1,000 deposit is to be retained by you as a negotiation fee, but that it will be refunded to us: (1) upon our written notice to you that we are no longer interested in the parcel, at any time up unit1 ten days after such date as we are informed by you that the deposit is no longer refundable except as noted in (2) following; or, (2) at such time as the Town of Plymouth has accepted a Letter-of-Intent and \$5,000 deposit by another developer or by us for the same parcel. |
| We understand that the Town of Plymouth is under no obligation to earn interest in deposit, but that any interest actually earned will be our property. |
| We understand that the Town of Plymouth reserves the right to reject any and all proposals, reissue the request for proposal, or take other actions as deemed necessary to serve the best interests of the Town of Plymouth. |
| Developer |

(Use Developer's Letterhead)

Subject: Town of Plymouth

PART I

HUD-6004 (9-69)

REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE 1

| A. REDEVELOPER AND LAND |
|--|
| 1. a Name of Redeveloper: |
| b. Address and ZIP Code of Redeveloper: |
| c. IRS Number of Redeveloper: |
| 2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from |
| (Name of Local Public Agency) |
| |
| in(Name of Urban Renewal or Redevelopment Project Area) |
| |
| in the City of, State of, is described as follows 2 |
| 3. If the Redeveloper is not an individual doing business under his own name, the Redeveloper has the status indicated below and is organized or operating under the laws of: |
| A corporation. |
| A nonprofit or charitable institution or corporation. |
| A partnership known as |
| A business association or a joint venture known as |
| A Federal, State, or local government or instrumentality thereof. |
| Other (explain) |
| 4. If the Redeveloper is not an individual or a government agency or instrumentality, give date of organization |
| 5. Names, addresses, title of position (if any), and nature and extent of the interest of the officers and principal members, shareholders, and investors of the Redeveloper, other than a government agency or instrumentality, are set forth as follows: |

Ill space on this form is inadequate for any requested information, it should be furnished on an attached page which is referred

to under the appropriate numbered item on the form.

Any convenient means of identifying the land (such as block and lot numbers or street boundaries) is sufficient. A description by metes and bounds or other technical description is acceptable, but not required.

HUD-4004 (9-69)

- a. If the Redeveloper is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock1.
- b. If the Redeveloper is a nonprofit or charitable institution or corporation, the members who constitute the board of trustees or board of directors or similar governing body.
- c. If the Redeve loper is a partnership, each partner, whether a general or limited partner, and either the percent of interest or a description of the character and extent of interest.
- d. If the Redeveloper is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.
- e. If the Redeveloper is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10%.

NAME, ADDRESS, AND ZIP CODE

POSITION TITLE (if ω_{ij}) and percent of interest or description of character and extent of interest

6. Name, address, and nature and extent of interest of each person or entity (not named in response to Item 5) who has a beneficial interest in any of the shareholders or investors named in response to Item 5 which gives such person or entity more than a computed 10% interest in the Redeveloper (for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Redeveloper; or more than 50% of the stock in a corporation which holds 20% of the stock of the Redeveloper):

NAME, ADDRESS, AND ZIP CODE

DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST

7. Names (if not given above) of officers and directors or trustees of any corporation or firm listed under Item 5 or Item 6 above:

B. RESIDENTIAL REDEVELOPMENT OR REHABILITATION

(The Redeveloper is to furnish the following information, but only if land is to be redeveloped or rehabilitated in whole or in part for residential purposes.)

If a corporation is required to file periodic reports with the Federal Securities and Exchange Commission under Section 13 of the Securities Exchange Act of 1934, so state under this Item 5. In such case, the information referred to in this Item 5 and in Items 6 and 7 is not required to be furnished.

| Н | UD-6004 |
|---|---------|
| | (9-69 |

| f payment for the land, for: | (9-69) |
|--------------------------------------|--|
| Bevelopment | \$ \$ |
| abilitation | \$ |
| | |
| ESTIMATED AVERAGE MONTHLY RENTAL | ESTIMATED AVERAGE SALE PRICE |
| 8 | \$ |
| | |
| | |
| | |
| | |
| any, included in the foregoing es | stimates of rentals; |
| | |
| | |
| ing machines, air conditioners, | if any, included in the fore- |
| FICATION | |
| | |
| sclosure is true and correct to t | he best of my (our) knowledg |
| Dated: | |
| Sign | awe |
| | |
| Τ | ide |
| Address a | nd ZIP Code |
| be signed by such individual; if a p | artnership, by one of the part- |
| ficers having knowledge of the facts | |
| | any, included in the foregoing estimated are monthly rental (if to be rentally unit involved in such redeving monthly rentally rentally statements, air conditioners, air cond |

of the United States.

REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

(For Confidential Official Use of the Local Public Agency and the Department of Housing and Urban Development. Do Not Transmit to HUD Unless Requested or Item 8b is Answered "Yes.")

| l. | a. Name of Redeveloper: |
|----|--|
| | h. Address and ZIP Code of Redeveloper: |
| 2. | The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from |
| | (Name of Local Public Agency) |
| | in (Name of Urban Renewal or Redevelopment Project Area) |
| | in the City of, State of, is described as follows: |
| 3. | Is the Redeveloper a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms? TYES NO If Yes, list each such corporation or firm by name and address, specify its relationship to the Redeveloper, and identify the officers and directors or trustees common to the Redeveloper and such other corporation or firm. |
| 4. | a. The financial condition of the Redeveloper, as of |
| | b. Name and address of auditor or public accountant who performed the audit on which said financial statement is based: |
| | If funds for the development of the land are to be obtained from sources other than the Redeveloper's own funds, a statement of the Redeveloper's plan for financing the acquisition and development of the land: |

| | NAME, ADDRESS, AND ZIP CODE OF BANK | | AMOUNT |
|----------------|--|---|--|
| | | | \$ |
| | | | |
| | By loans from affiliated or associated corporati | ana an firma. | |
| | NAME, ADDRESS, AND ZIP CODE OF SOURCE | ons or times: | AMOUNT |
| | | | \$ |
| and the second | | | |
| c. | By sale of readily salable assets: | | |
| | DESCRIPTION | MARKET VALUE | MORTDAGES OR LIENS |
| | | 8 | \$ |
| 7 N. | ames and addresses of bank references: | | |
| 1. IN | ames and addresses of Dank references: | | |
| | | | |
| ۰ ـ | . Has the Redeveloper or (if any) the parent corp. | oration, or any subsidiary | or affiliated componition of |
| D. E. | | | |
| O. a. | Redeveloper or said parent corporation, or any | of the Redeveloper's office | rs or principal members, : |
| O. E. | Redeveloper or said parent corporation, or any obolders or investors, or other interested parties | of the Redeveloper's office s (as listed in the respons | ers or principal members, a es to Items 5,6, and 7 of t |
| O. A. | Redeveloper or said parent corporation, or any oblighers or investors, or other interested parties Redeveloper's Statement for Public Disclosure | of the Redeveloper's office (as listed in the respons and referred to herein as ' | rs or principal members, a es to Items 5,6, and 7 of a principals of the Redevel |
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| D. a. | Redeveloper or said parent corporation, or any cholders or investors, or other interested parties Redeveloper's Statement for Public Disclosure been adjudged bankrupt, either voluntary or inv | of the Redeveloper's office (as listed in the respons and referred to herein as ' | rs or principal members, a es to Items 5,6, and 7 of a principals of the Redevel |
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| | capacity, for construction contractor or builder on undertakings comparable to the proposed redevelopment work, name of such employee, name and address of employer, title of position, and brief description of work: |
|------------|--|
| | |
| | in the second se |
| 10. | Other federally aided urban renewal projects under Title I of the Housing Act of 1949, as amended, in which the Redeveloper or any of the principals of the Redeveloper is or has been the redeveloper, or a stockholder, officer, director or trustee, or partner of such a redeveloper: |
| 11. | If the Redeveloper or a parent corporation, a subsidiary, an affiliate, or a principal of the Redeveloper is to participate in the development of the land as a construction contractor or builder: |
| | a. Name and address of such contractor or builder: |
| b , | b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract? [] YES [] NO [] If Yes, explain: |
| | c. Total amount of construction or development work performed by such contractor or builder during the last three years: \$ |
| | General description of such work: |
| | • |
| | |
| | |
| | |
| | d. Construction contracts or developments now being performed by such contractor or builder: |
| | IDENTIFICATION OF CONTRACT OR DEVELOPMENT LOCATION AMOUNT COMPLETED |
| | |

| | Outstanding construction-contract bids of | | (9-69) |
|---------------------|---|---|--|
| AY | FARDING AGENCY | AMOUNT | DATE OPENED |
| | | • | |
| 12. | Brief statement respecting equipment, expensed contractor or builder for the performance specifying particularly the qualifications of experience of the contractor: | ce of the work involved in the redevelop | ment of the land, |
| 13. a. | Does any member of the governing body of proposal is being made or any officer or enfunctions or responsibilities in connection covered by the Redeveloper's proposal is interest in the Redeveloper or in the redeveloper proposal? | nployee of the Local Public Agency who with the carrying out of the project und being made available, have any direct o elopment or rehabilitation of the proper | exercises any ler which the land r indirect personal |
| | If Yes, explain. | | |
| | any other public official of the locality, wapproval of the carrying out of the project is being made available, have any direct or redevelopment or rehabilitation of the prop If Yes, explain. tatements and other evidence of the Redevel e financial statement referred to in Item 4a) | under which the land covered by the Re r indirect personal interest in the Rede erty upon the basis of such proposal? Oper's qualifications and financial resp | developer's proposal veloper or in the YES NO oneibility (other than |
| | CEI | RTIFICATION | |
| . 10 | We)1 | | |
| ertify t | hat this Redeveloper's Statement of Qualific edeveloper's qualifications and financial re- est of my (our) knowledge and belief. ² | | |
|)ated: _ | | Dated: | |
| | | | |
| | Signature (2008-2017) Flore Holley <u>Prop</u> erty Holley | Signature | |
| g braysa | Title | Tide | |
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| | Address and ZIP Code | Address and ZIP | Code |

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one of its chief officers having knowledge of the financial status and qualifications of the Redeveloper..

Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department of the United States.

If the Redeveloper is a corporation, this statement should be signed by the President and Secretary of the corporation; if an individual, by such individual; if a partnership, by one of the partners; if an entity not having a president and secretary, by one of its chief officers having a president and secretary, by

Attached are selected portions of the Market Study completed as part of the Plymouth Waterfront Plan in 1981.

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Lodging and Conference

* This material is excerpted from a Review of the Economic Potentials of the Plymouth Waterfront proposed by Real Property Resources Corporation, in 1981

I. HOUSING DEVELOPMENT

In this section, the context is established for evaluating possible housing development proposals for the downtown and waterfront area of Plymouth. This section summarizes historical housing market and demographic data, employment patterns in Plymouth, the economic infrastructure to support growth, and concludes with an assessment of future housing growth.

Housing and Demographics

Plymouth is one of the fastest growing towns in Massachusetts. Ex-urban inmigration to Plymouth has been fueled by high housing costs and property tax levels in the greater Boston metropolitan area and assisted by improved road access to employment centers. The historical population growth has been as follows:

Table 1: Town of Plymouth Population Growth

| | | Compound |
|------|-----------|-------------|
| | # persons | Annual %/yr |
| | | |
| 1950 | 13,608 | - |
| 1955 | 13,892 | 0.41% |
| 1900 | 13,652 | 0.78% |
| 1960 | 14,445 | |
| 1965 | 15,424 | 1.32% |
| 1000 | 10,121 | 3.82% |
| 1970 | 18,606 | |

Sources: <u>Future Housing Needs</u>, Old Colony Planning Council, June 1977 (1950-1975); Marketing Economics Institute (1979)

The percentage population growth figures are high compared with the 0.19% annual growth rate for Massachusetts' population between 1970-79 and compared with the national average of about 1% per year in recent years. Plymouth's unusually rapid growth since the mid-1960s is directly related to the development of new housing. In absolute terms, however, the housing sector is not particularly large, as the following data indicates:

Table 2: Town of Plymouth Building Permits

| | Total Units | Single Family | Multi-Family |
|------------------|-------------|---------------|--------------|
| 1970 | 326 | 236 | 90 |
| 1971 | 894 | 475 | 419 |
| 1972 | 1,173 | 894 | 279 |
| 1973 | 978 | 978 | - |
| 1974 | 217 | 217 | - |
| 1975 | 626 | 591 | 35 |
| 1976 | 526 | 526 | - |
| 1977 | 536 | 536 | - |
| 1978 | 313 | 313 | - |
| 1979 (9 months) | 144 | 144 | - |
| Total (9.75 yrs) | 5,733 | 4,910 | 823 |
| Annual Average | 588.0 | 503.6 | 84.4 |

Source: U.S. Department of Commerce: Bureau of Census,
Construction Reports

As is normal in a suburban growth center, single family homes represent the dominant segment of the market. It can be seen that past production of single family homes has averaged about 500 units per year. Production has varied from about 300 in a year of high interest rates (1978) to nearly 1,000 homes in the peak year 1973. The years 1971-1973 also saw peak output in most other housing markets in the U.S. More than half of the multi-family unit construction was developed under federal subsidy programs. Some 460 assisted units were built, comprising 175 elderly units and 285 family units. No permits for market rate multi-family housing development have been issued for five years to date.

The housing markets in the towns surrounding Plymouth are significantly smaller that that of Plymouth itself. Production in the competitive market area has been as follows:

Table 3: 1969-78 Building Permits

| | Total Units | Single Family | <u>Multi-family</u> |
|-----------------------|-------------|---------------|---------------------|
| Carver | 1061 | 1061 | 0 |
| Duxbury | 1201 | 1177 | 24 |
| Kingston | 647 | 488 | 159 |
| Plympton | 219 | 219 | 0 |
| | | | |
| Subtotal (9.75 years) | 3128 | 2945 | 183 |
| Annual Average | 318.2 | 299.6 | 18.6 |

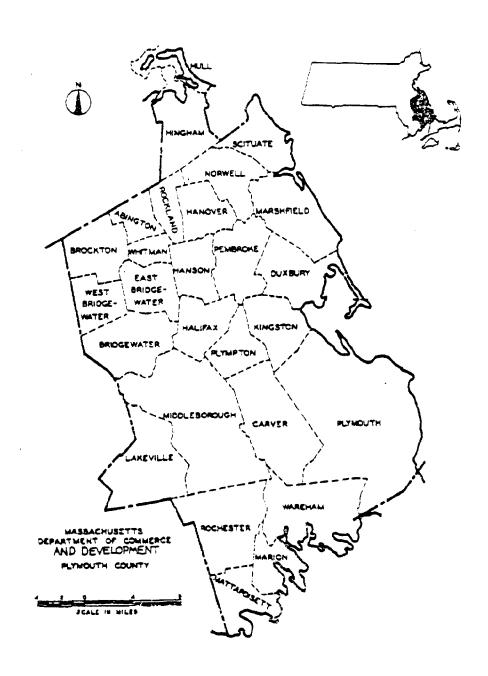
The Plymouth housing market area is somewhat larger than the town itself and comprises perhaps 800 homes in an average year, including the above four towns. Duxbury and Carver offer significant competition, with Duxbury offering comparable amenity values and a shorter travel time to Boston.

In addition to the permanent population of Plymouth, there is a summer seasonal increase estimated at around 5000 households or 15-20,000 people. This does not include the numerous transient tourists who visit the Town. The latter have been estimated by the Chamber of Commerce to number up to 1,000,000 per year, arriving between late March and Thanksgiving.

Part of the traditional attraction of Plymouth has been as a retirement community, and the median age of 33.5 years is indicative of this. By contrast, Plympton and Halifax show median population ages of 24.8 and 24.3 years, while the region has a median age of 29.2 years. The median age has been declining since 1960, however. Related to the age distribution, Plymouth has the smallest reported household size in the region, of 2.81 persons.

Employment Patterns

In this report, the Labor Market Area is as defined by the Massachusetts Division of Employment Security. This essentially comprises the towns of Carver, Middleborough, Plymouth, Plympton and Wareham, located on the following map:



The migration patterns and excellent access to metropolitan Boston have encouraged development of Plymouth as a bedroom community. It was estimated by the Census that in 1970 approximately 35% of the employed workforce commuted out of the Labor Market Area to work. The growth in jobs in Plymouth, however, exceeded population growth in percentage terms since 1960. Between 1967 and 1977, employment in the Labor Market Area grew at over a 7% annual rate. Table 4 on the following page shows trends in employment by sector in Plymouth.

From table 4 the high growth sectors over an extended period are evident. In terms of percentage growth rates, the F-I-R-E, Services and T-C-U sectors have grown the most. This reflects a combination of national trends, local growth in housing construction and the employment generated by the Pilgrim nuclear power plant. Absolute growth has been very significant in wholesale and retail trade, as well as in manufacturing. In short, growth in employment has roughly matched population growth and has been distributed normally. Total employment remains below the needs of the population, however.

| | | Table 4: | Plymouth I | Plymouth Labor Market Area Employment Data | rea Employ | ment Data | | | |
|----------------------------------|-----------------------------|---------------------|--------------------------------------|--|--------------------|--------------------------------|-------------------------------------|--|----------|
| Үевг | Avg. Annual Wage (\$) | Total Employment | Agriculture Forestry Fisheries | e Contact Construction | Manufac- turing | Trans. Comm. Utilities (T-C-U) | Wholesale and Retail Trade | Finance Insurance Real Estate (F-I-R-E) | Services |
| 1967 | \$4,611 | 3,079 | 34 | 223 | 554 | 270 | 1.399 | 87 | 513 |
| 1968 | 5,166 | 3,362 | 33 | 199 | 540 | 308 | 1,449 | 97 | 736 |
| 1969 | 6,274 | 4,034 | 32 | 198 | 568 | 304 | 1,567 | 105 | 1,260 |
| 1970 | 7,489 | 4,644 | 33 | 220 | 562 | 280 | 1,697 | 111 | 1,742 |
| 1971 | 7,209 | 3,967 | 25 | 219 | 426 | 268 | 1,739 | 118 | 1,173 |
| 1972 | 6,623 | 4,752 | 33 | 262 | 536 | 317 | 1,826 | 139 | 1,638 |
| 1973 | 6,628 | 5,325 | 34 | 300 | 614 | 441 | 2,125 | 246 | 1,566 |
| 1974 | 6,938 | 5,171 | 32 | 226 | 009 | 473 | 2,051 | 292 | 1,498 |
| 1975 | 7,755 | 5,462 | 53 | 189 | 626 | 715 | 2,071 | 316 | 1,515 |
| 1976 | 8,462 | 5,857 | 38 | 216 | 725 | 725 | 2,160 | 293 | 1,700 |
| 1977 | 9,075 | 6,225 | 30 | 265 | 881 | 092 | 2,170 | 281 | 1,837 |
| 10 Year Increase 1967-1977 | N/A | 3,146 | b - | 42 | 327 | 490 | 771 | 194 | 1,324 |
| Compound Annual % Change | 7.0% | 7.3% | -1.2% | 1.7% | 4.8% | 10.9% | 4.5% | 12.4% | 13.6% |

Source: Massachusetts Division of Employment Security

The seasonality of the service employment sector, as it relates to tourist destination towns such as Plymouth, must be considered in any strategic analysis of the labor market. Such jobs are attractive as a source of secondary income, but may not be viable for a primary wage earner. Per capita income in Plymouth is only marginally less than for Massachusetts as a whole. The major dislocation of jobs in Plymouth's recent history occurred with the closing of the Cordage works in 1969. The Cordage property, north of Plymouth's downtown and waterfront area, has now been converted to an industrial park which employs about 750 people in the wholesale, service and manufacturing sectors.

Unemployment in Plymouth has consistently been higher than for the State and the U.S. as a whole, as demonstrated in the following table:

Table 5: Unemployment in the Plymouth Labor Market Area

| | Plymouth L.M.A. | Massachusetts | <u>U.S.</u> |
|------|-----------------|---------------|-------------|
| 1974 | 10.3% | 7.2% | 5.6% |
| 1975 | 13.6% | 11.2% | 8.5% |
| 1976 | 12.2% | 9.5% | 7.7% |
| 1977 | 11.8% | 8.1% | 7.0% |
| 1978 | 9.1% | 6.1% | 6.0% |

Source: Division of Employment Security

In relation to the U. S. as a whole, the unemployment trend for Plymouth as for Massachusetts, has been favourable. This trend results from cyclicality in the New England economy. Future relative improvement must depend on the elimination of uncompetitive manufacturing industries and the development of the service sector and tourism as economic growth areas.

Economic Infrastructure

The constraints and opportunities of the economic infrastructure of Plymouth have been capably and comprehensively documented by the Old Colony Planning Council in their recent economic development reports. While infrastructure resources will generally continue to be at a premium, Plymouth is still in a favorable position for future development with regard to availability of water, energy and communications. The Plymouth hinterland offers extensive scope for development in the long term. The same is not true, however, of the waterfront between Plymouth Yacht Club and the Ocean Spray facility. Land is at a premium. Transactions have been few, but have occurred at high cost due to the buyers' unique need for particular properties.

The most prominent constraint is that of the existing sewage disposal system, which interrelates closely with any proposed development of the waterfront. The location of the sewage plant on prime town-owned waterfront land is representative of a past disregard for Plymouth's natural resources which it is hoped is no longer present. Nonetheless, proposals are in hand to expand the existing sewage facility:

Table 6: Sewerage Capacity

| | Capacity (m.g.d.) | Required Land (acres) | Total <u>Cost</u> |
|---------------------------|----------------------|-----------------------------|----------------------|
| Present Plant: | 2.0-2.4 | 2.9 | |
| Proposed Expansion: | 1.75 | 1.2 | \$2.5M |
| Plymouth Need, Year 2000: | 4.6 | | |
| Kingston Need, Year 2000 | 1.1 | | |
| Source: OCPC | | | |

OCPC reports that the Town of Plymouth will only have to meet 10% of the cost of new facilities, the remainder being made available through various grant programs. Alternative sewage treatment strategies for a regional solution are: (i) to continue multiple treatment facilities or (ii) to centralize the treatment of Plymouth and Kingston sewage. The expected demand in the year 2000 can clearly not be accommodated through a third stage expansion of the existing Plymouth plant. Given this, and the fact that the proposed 1.2 acre expansion could well mitigate the feasibility of a long term centralized regional solution, and given also the great scarcity of waterfront land, it seems clear that the proposed expansion of the plant should not be undertaken. In the long run Plymouth should look toward elimination of the present facility and its replacement through a centralized regional plant elsewhere in the county, releasing the land to a higher value economic use.

The outstanding resource opportunity in Plymouth is generally perceived as the development of the Plymouth Harbor and Waterfront for commercial, industrial, recreational and tourist development. The harbor itself, however, has certain drawbacks. It is a wide expanse of tidal water, vulnerable to northeast gales. It has two main channels: That to the north terminates at the Cordage: it has not been dredged since since 1947, but has approximately fifteen feet of water at low water. The channel to the town pier runs approximately five miles to the open sea. It is regularly dredged by the Army Corps of Engineers to a depth of fifteen feet. There is no possibility for development of the harbor as a significant port. The most probable potential development will be for an increase in recreational boating and possibly for increase in the fishing industry. These issues are discussed in more depth subsequently in this report.

Population and Housing Growth Potentials

The Old Colony Planning Council has used projections prepared by the U.S. census for population growth toward the year 1995, as follows:

Table 7: Town of Plymouth Population Projections

| | | # Persons | Compound Annual Growth % |
|------------|------|-----------|-----------------------------|
| Actual | 1960 | 14,445 | |
| | | | 1.32% |
| | 1965 | 15,424 | |
| | | | 3.82% |
| | 1970 | 18,606 | |
| | | | 7.66% |
| | 1975 | 26,907 | |
| | | | 4.50% |
| Projected: | 1980 | 33,800 | |
| | | | 2.50% |
| | 1985 | 38,600 | |
| | | | 2.37% |
| | 1990 | 43,400 | |
| | | | 2.20% |
| | 1995 | 48,300 | |

The above estimate for 1980 now appears high compared with the Marketing Economics Institute 1979 estimate of 31,200. Using either figure, however, and paralleling the pattern of housing starts, the rapid growth between 1970 and 1975 has slowed. The peak growth was characterized by the low tax rate of the city, freely available and low cost mortages and readily available subdivision plots. The recent steep reduction in numbers of Building Permits shown in Table 2, combined with current mortgage market conditions and the escalating energy shortage suggests that in the short term growth will be severely constrained. In the longer term, the growth expectations presented above are not unreasonable.

The consultants estimate the total growth between 1980 and 1995 will be in the order of 14,000-16,000 people. Assuming that the household size remains at 2.81 persons, the figures suggest an average market demand for between 350 and 400 units per year, allowing for a 5% vacancy factor. An additional fifty or so residences will either be replaced, adding to the level of starts, or substantially rehabilitated.

Should the availability of building land be curtailed by Town planning policy, it will increase the cost of development and concurrently reduce the population growth in the Town. It may also tend to result in an increase in multi-family units which at present represent an insignificant part of the housing market. If gasoline prices rise very significantly, the ability of Plimothians to find employment in the immediate area will become a critical determinant of growth. Estimates have been made that as much as 20% of the housing stock of Plymouth represents second homes for non-residents. Gasoline shortages will reinforce the attraction of Plymouth for this segment of the population because of its proximity to metropolitan Boston, but low relative cost.

The only significant housing development presently contemplated in downtown Plymouth is a 50-unit complex to be developed by the Plymouth 5¢ Savings Bank. The site is contiguous with their headquarters building, but although the project was described as "very feasible", no start date has been

established. No other housing developments were heard proposed in the Waterfront study area.

Whether the future population and housing growth follows a high or low growth scenario is in our opinion of only marginal importance in the future development of the waterfront. Land is so scarce there and its price so high that it is difficult to conceive of housing representing the highest and best economic use of vacant waterfront land.

On the other hand, it is very likely that some housing development at higher than single family density will be desirable, adding variety to the housing choices available and contributing to the vitality of the downtown waterfron area. For the foreseeable future, these developments will be economically marginal without assistance in land acquisition and infrastructure. In the longer term, condominiums at a density of 15 to 25 units per acre may prove feasible, however even then the availability of a proper land parcel will govern the possibility of development. A few hundred units over a twenty year period would probably be a maximum, with direct government help in land assembly.

II. RETAIL AND COMMERCIAL DEVELOPMENT

In this section, the context is established for the current and possible future retail and commercial development proposals for the downtown and waterfront area of Plymouth. This section measures retail demand, examines current retail proposals, and considers the possibility of significant office investment.

Retail Demand

Of the five towns which comprise the Plymouth trading area, the towns of Plymouth and Kingston have significant retail trade. Data on overall sales are as follows:

Table 8: 1977 Retail Trade

| | # Establishments | Sales (\$000) | # Employees | Payroll (\$000) |
|----------|---------------------|------------------|----------------|-----------------|
| Plymouth | 228 | \$90,365 | 1,456 | \$9,774 |
| Kingston | 93 | 34,053 | 720 | 4,193 |
| Total | 321 | \$124,418 | 2,176 | \$13,967 |

Due to the aforementioned population growth, sales in these towns have increased faster than price levels generally and the state as a whole, as follows:

Table 9: Comparative Sales (1977 vs. 1972)

| | 1972 (\$000) | 1977 (\$000) | Annual Compound % |
|---|-----------------|-----------------|----------------------|
| Plymouth | \$59,268 | \$90,365 | 8.80% |
| Kingston | 19,111 | 34,053 | 12.25% |
| Massachusetts (\$ millions) | 13,257.9 | 18,474.3 | 6.86% |
| Consumer Price Index (Boston Metro Area; 1967=100) | 1.271 | 1.834 | 7.61% |

Both Plymouth and Kingston have downtown business districts. There are also a number of small shopping center in the trade area, as follows:

Table 10: Plymouth Area Retail Centers

| | Main Stores | # Stores | Building Size (SF) | Year Opened |
|--|--|----------|----------------------|----------------|
| Plymouth: | | | | |
| Manomet S.C. Rt. 3A | Mayflower Leisure Ctr. | 7 | N/A | N/A |
| Plimoth Plaza Court Street | W.T. Grants (replaced); Finast Market | 5 | N/A | N/A |
| Standish Plaza Rt. 44 & Samoset St. | Rich's Department Store | 11 | N/A | N/A |
| Downtown/Court St. | Department Store | | 224,000 ispersed) | |
| Duxbury: | | | | |
| Duxbury Plaza Depot Street | | 14 | 40,500 | 1968 |
| Kingston: | | | | |
| Kingbury Square | Bradlee's | N/A | 180,000 | N/A |

In real estate industry terms, none of these centers constitutes a major or regional retail draw. The nearest regional center (defined by the Urban Land Institute as exceeding 400,000 square feet of leasable area) is the Hanover Mall, which has 78 stores, including Sears and Zayre. The population of Plymouth and the adjoining towns in its trading area were estimated for 1978 in a feasibility study for a new retail development, as follows:

Table 11: Retail Trade Area Population

| Plymouth | 31,500 |
|----------|--------|
| Carver | 5,400 |
| Duxbury | 14,200 |
| Kingston | 7,700 |
| Plympton | 2,000 |
| Total | 60,800 |

All things being equal, this population base would be expected to generate its prorata share of Massachsetts total retail sales. The trade area comprises 1.051 % of Massachusetts population and would therefore support \$211.6 million in retail sales in 1978 dollars. It is clear that the Plymouth trade area is "exporting" retail sales to other locations, primarily Hanover, South Shore Plaza on Route 128, and Boston proper. The following table indicates the mix of retail sales in the town of Plymouth only, and provides a rough estimate of the "shortfall" which might be captured by new development:

Table 12: Retail Demand

| | 1978 Plymouth Sales (\$000) | .5397% of 1978 Mass. Sales (\$000) | Unmet Demand (\$000) |
|-----------------------|-----------------------------------|--|----------------------------|
| Food Stores | \$30,667 | \$24,621 | \$ - |
| Eating & Drinking | 8,497 | 10,711 | 2,214 |
| Drug & Proprietary | 1,064 | 3,397 | 2,333 |
| Gasoline Service Sta. | 5,020 | 7,159 | 2,139 |
| General Mdse. | 1,511 | 13,486 | 12,335 |
| Apparel & Accessories | 4,424 | 6,212 | 1,788 |
| Furniture, Home Furn | . 2,506 | 4,164 | 1,658 |
| Auto Dealers | 26,208 | 16,875 | - |
| Building Mat'ls | 2,900 | 4,694 | 1,794 |
| Other | 14,950 | 16,860 | 1,910 |
| Total | \$97,747 | \$108,539 | \$26,171 (computed |

mputed total) The above table shows a major shortfall in general merchandise stores in the town of Plymouth compared with its per capita share of the state total sales in the same year. Surprisingly, for a high-tourist location, eating and drinking sales are well below the statewide average. In Nantucket, for example, per capita eating and drinking sales are over four times those of Plymouth.

Current Proposals

If the \$26 million in unmet demand for Plymouth alone were extrapolated proportionately to allow for servicing the probable unmet demand in the surrounding towns, the total would be about \$50 million in potential demand. At an overall average of \$94.08 in 1978 dollar sales per square foot, as reported by ULI for the Northeast region, this demand would support 535,000 square feet of new retail space.

It should be noted that a significant portion of this demand will continue to be exported to Boston specialty and general merchandise retailers and cannot be captured locally. Confirmation of this analysis is provided by the competition presently underway among two or three development firms vying to provide new retail space in or near Plymouth. A most likely scenario would provide about 200,000 square feet in the near term with potential to add more space later. This would be located at an interchange on Route 3, probably at Route 44.

In the downtown area is proposed a new office and specialty retail development between Water Street and the Plymouth 5¢ Savings Bank. The Bank is the developer. Included is 20,000 square feet of first floor retail with 7,000 square feet of offices above. Considerable leasing interest is reported. Rents for the shops are in the region of \$10 a square foot, gross. The development is supported by 87 new car parking spaces. Given the previous conclusions concerning the retail shortfall in Plymouth, the success of the development seems likely despite the fact that it represents nearly a 10% increase in the existing base of 220,000 square feet of downtown retail

current rents (1982) range from \$16-17/SF

space. The new development represents a significant investment in proximity to the Town Wharf. It will strengthen the northerly, rather than the center or southerly sectors of the downtown. Since the shops and parking will be attractive to both tourists and residents, the development represents an opportunity to catalyse further complementary development on the Town Wharf itself. There are no restaurants included in the Bank's proposal, and it is therefore probable that the development will benefit those eating establishments located on or near the Town Wharf, which presently total approximately 14,000 square feet.

Despite the significant unmet demand in the eating and drinking sector, described previously, the existing restaurants are characterized by either low prices or summer season opening only. It was reported that the owner of Mayflower Seafood is not satisfied with its performance and is currently commissioning an appraisal of its operations. The unmet demand of \$2.2 million shown in Table 12 would support at least two national fast food chain outlets or a greater number of higher price, lower turnover establishments. The potential seasonal demand by tourists is not even factored into this projection. Although it may not be reasonable to expect eating and drinking at the level reported for Nantucket, the 1 million or so annual visitors probably increases the shortfall in supply to at least \$3.75 M as far as Plymouth's immediate potential is concerned.

The fact that there are only between 332 and 552 hotel/motel rooms in Plymouth influences conclusions on the existing and potential eating and drinking retail sector. There is not a substantial overnight tourist base to augment restaurant turnover, and existing eating and drinking establishments are clearly unable to attract enough local resident or transient customers to offset this. Reasons for this are lack of style and ambiance, a failure to capitalize on the appeal of a waterfront location, and a narrow perception as to what consumers want. Eating and drinking operations which are successful in Newport, R.I., Salem or Scituate illustrate viable models incorporating outdoor facilities, waterfront character, evening entertainment and a variety of other features to attract day and year-round patronage.

Office Investment

In the downtown study area there is approximately 200,000 square feet of office space with an additional 45,000 square feet incorporated in the Ocean Spray facility. Although there is no significant pattern of investment in office space in the Town, it is to be expected that with Plymouth's increasing emphasis on the service employment sector, demand for office space will steadily increase. Table 4 shows that finance, insurance and real estate employment has been increasing at 12% per year and services at over 13%. If these trends continue, it implies a growth in the office labor market by about 150 persons a year. At a space per person of 200 square feet, approximately 30,000 square feet might be needed each year, though this would not, of course, be located entirely or even in a majority in downtown Plymouth. It does not take account of replacement demand or of possible expansion in the employment market at a greater rate than the past.

The Ocean Spray offices represent a significant part of Plymouth's recent commercial development. Although it might be considered a somewhat inconsistent waterfront land use, the new and rehabilitated headquarters complex of 45,000 square feet of office space and associated Cranberry museum have proved a great success and improvement to the Town. The availability of up to 215 parking spaces and a waterfront shuttle bus helped attract 250,000 visitors to the facility during the 1979 season.

Despite Ocean Spray's success, it is our opinion that the advantages they had in the possibilities of a rehabilitation development, availability of parking and potential for incorporating an ancillary museum function in the otherwise unuseable basement will not be available for any other large office space user in the waterfront zone. In this case it is to be expected that significant office development will prove to be more economically located elsewhere in the town. Waterfront land is intrinsically more expensive to acquire and develop than hinterland, and it is not clear that increased office development in this part of the study area will assist in achieving Plymouth's greater objectives. Indeed, since one parking space is typically required per 300 square feet of office space, further office

development will tend to aggravate the already critical parking problem. Furthermore, although the office workers represent a year-round population, they will not contribute to the waterfront economy to as great an extent as other categories of users.

In this section, the context is established for evaluating possible proposals for tourism and employment-related investments in the downtown and waterfront area of Plymouth. This section examines the manufacturing sector, fishing, tourism, marine recreation and the hotel/motel and conference sector.

Manufacturing

Manufacturing industry is strongly concentrated in two main areas, Plymouth Industrial Park and the Cordage. The Industrial Park was formed ten years ago while the Cordage dates from 1824. The manufacturing labor force is 25% of the total 1977 Plymouth employment as reported in Table 4, and although not all the workforce for the plants comes from Plymouth, the tax revenues revert to Plymouth and the employment generation is exceedingly important in the local economy.

Table 13: Industrial Developments

| | Plymouth Industrial Park | Cordage |
|-------------------------------------|-----------------------------|----------------------------|
| Land Area (acres) | 250 | 64 |
| Building Area (million square feet) | - | 1.5 |
| 1979 Employment | 875 | 750 |
| No. Firms | 14 | 35 |
| Waterfront | No | 4,000 feet & 400 foot pier |
| Rail | No | Yes |
| Sewer System | Own | Own |
| Tax Contribution (1978) | \$74,273 | \$77,839 |

The potential of the Cordage is more significant to the present study than is that of the Industrial Park. It comprises a mixture of handsome historic industrial buildings, with extensive waterfront, a substantial pier, a 15'-0" harbor channel (which is not dredged), and good road access to the different parts of the complex. Permits to further fill and dredge in the harbor to provide new quay and dock space have lapsed, but according to the Cordage owner may well be renewable.

In addition to an important role providing inexpensive accomodations for embryonic businesses, the Cordage accomodates a small fisheries operation on its quay. The owners of Cordage are contemplating a variety of possible redevelopment initiatives with the property. These include establishing a small retail complex in the inland part of the complex; running a seasonal steam tourist train down the existing track to downtown Plymouth; building a marina in association with the adjacent Jesse's boatyard. In our opinion the Cordage offers the best location in Plymouth for any expansion of the fishing industry. This conclusion is substantiated in the following section. Furthermore, the possiblity of establishing a marina to the south of the existing Cordage pier seems to present a potentially feasible alternative or addition to proposed marina developments between Plymouth Marina and Plymouth Yacht Club and adjacent to the Town Quay.

Fishing

Despite its prominence on the Town Wharf, fishing, as a component in the Plymouth economy and labor market is small. Only 30 persons are recorded in Table 4 as employed in Plymouth agriculture and fisheries. There are undoubtedly more not recorded by the Department of Employment Security, and the primary activity of fishing generates land-based secondary employment, such as at Mayflower Seafoods. Nonetheless the coastal fishing operations based on the Town Quay are not of the same scale as the potential major New England industry which will result from the recent increase in territorial waters, the 200 mile limit.

The form of the new industry will be larger vessels, needing larger quays and adjacent hardstanding. The catch will involve increased mechanical handling and often extensive processing space in close proximity. It is possible that the Town Quay could be improved for the existing fishing operations, but it is clearly unsuitable for an expanded modern fishing base. While the presence of fishing boats and their related activities often form an important part of the waterfront scene, the harbor congestion in Plymouth is so bad and the deleterious effects of the refrigeration trucks so constraining on the potential of the Town Quay, that even retention of the existing scale of operations must be carefully considered. The increasing incompatibility between recreational boat mooring and fishing operations has been pointed out to us. The increase or continuation of commercial fishing off the Quay may well invalidate proposals for a marina close to the south side of the Quay.

Without a major investment in new quays, alterations to the harbor breakwater and increased dredging, an alternative or expanded base for fishing in Plymouth Center is impracticable. Development of what is effectively a new industry responding to the new 200 mile limit is clearly a capital intensive process which needs considerable support from the public sector. But the center of Plymouth has minimal natural advantages to support such investment. The Cordage, on the other hand, has much more in its favor: an available pier; the possibility of using fill from a marina dredging to reclaim hardstanding behind a new quay; a good, naturally deep channel to the sea; presently underutilized buildings; and services infrastructure to support fish processing.

Tourism

The fundamental problem with Plymouth's tourist business is that it is almost entirely transient rather than destination oriented. Apart from the limited hotel accomodation in the Town, which obviously curtails resident tourism, the feeling is that even the transient visitors spend a very short time in the Town and as the previous retail data show have only slight impact on trade compared with other tourist towns.

While Plymouth has a fundamental competitive advantage through its historical associations, the Rock and the Mayflower, these have to date failed to become integrated with current tourist expectations satisfied by commercial interests. Parking shortages compound the inadequacy. From an economic point of view there is not the mix or synergy of activities along the waterfront which would encourage the visitor to stay, be entertained and spend more over a longer period of time.

We believe that the economic rejuvenation of the waterfront is most likely to come about through a sequence of incremental investments. Since no land is available in proximity to the Rock and State Pier, and new retail and commercial investment is happening near the Town Wharf, it seems probable that any viable development will tend to congregate around and extend this northward trend. The Town Wharf is an obvious potential focus for this, and will be studied in more detail later.

In addition to the obviously critical need for tourist car parking, Plymouth badly requires a focus or focii where activities stimulate each other to produce various beneficial synergies. The present diffusion of events and attractions along the lengthly waterfront discourages intense pedestrian participation and dissipates the sense of place which is important in establishing a tourist venue, in the minds of its visitors, as a place worth being in and returning to. Plymouth, despite its two town beaches does not even begin to compete with surrounding areas in terms of beach facilities. A rapid boat service might successfully be provided between the waterfront and Plymouth Ocean Beach across the harbor to fill this need and encourage more extended utilization of Plymouth's facilities.

Marine Recreation

Pleasure boating has grown rapidly in Plymouth as in most other sealand towns, despite the inadequacies of the harbor described previously. There are three boatyards in the Town. Plymouth Marine, by the the Town Brook, a smaller yard close to Ocean Spray's headquarters, and Jesse's boatyard next to the Cordage. There are at present no marinas in the entire Bay, and

all the current boats are moored swinging in the dredged harbor. The 300 mooring spaces represent maximum capacity, and serious congestion is common during the summer. The almost completed town slip provides a launching facility for trailered craft to the north of the Town Wharf, though it has no ancillary rest rooms or marine supply facilities.

Mr. George Davis has explained his proposal for a marina extension to Plymouth Marine's existing yard: it will have slips for 77 boats with additional rack storage for 50 smaller boats. The development has as yet no firm starting date. It would cost approximately \$2 million and would provide additional jobs for an estimated 10 permanent and 8 seasonal employees. Seventy slips is commonly thought to be an absolutely minimum economic size, and the proposal would only partly satisfy the estimated existing demand for an additional 300 moorings in the Town. While waterfront land is particularly scarce in the South, the scale of marina might be increased, to the benefit of Plymouth, through an expansion of Plymouth Marine's proposal toward the Yacht Club.

At present there is minimal water voyage tourism in Plymouth because of the lack of suitable mooring facilities. While there are clearly advantages in linking a marina to a prominent boatyard, and Mr. Davis believes that pleasure boating should be kept well clear of commercial fishing, the proposed marina development will do little to help the synergy of waterfront activities in proximity to the Town Wharf.

A second marina has been tentatively propsed adjoining the unstable shoreline to the southwest of the Town Wharf. As yet we have not details of the scheme although the great shortage of land here and uncertain geological conditions will prove a significant physical handicap. A third proposal for marina facilities has been made as part of an altogether more ambitious complex under consideration by Ocean Spray and its developers, to be located north of the existing harbor breakwater.

The proposal for a marina at Cordage has certain merits. If it is economically feasible, it could present significant competition to proposals

in Plymouth Center, although the likelihood is that it would serve a different price segment of the market. Cost advantages over Plymouth Marine's proposal would result from (i) the need for less dredging; (ii) the ability to use the dredged material as land fill for a fishing quay; (iii) the availability of land for parking and existing ancillary buildings; (iv) the shelter provided by being further north, and having the existing pier as a breakwater. Disadvantages would be that the location is north, rather than Center Plymouth, and that there is an inevitably bad association with the Cordage industrial complex in the mind of the boating community.

Under present conditions most of these marina proposals are probably economically marginal, if developed at the lower end of the physical scale. Financial returns improve when the size of facility increases and the economies of scale and benefits of trading diversity appear. The economy and image of Plymouth would certainly be improved through a marina development, though the impact of a Cordage marina on downtown tourism would obviously be slight. It is felt that the more closely any facility can be involved in waterfront activity the better it will be for the Town as a whole.

Lodging/Conference

Table 14, following, describes the hotels/motels presently operating in Plymouth, in terms of numbers of rooms and nightly rates. There is a total of 424 rooms, mostly in small establishments, and available in 1979 at rates primarily between \$20 and \$60 per night. The Chamber of Commerce estimated that approximately one third of the rooms were available year round.

Table 14: Plymouth/Kingston Hotel/Motel Properties

| | | | Rates | |
|-------|---|---------|----------|---------|
| | Property | # Rooms | SWB | DWB |
| Major | * Governor Bradford | 95 | \$22-45 | \$26-48 |
| | * Governor Carver | 85 | 22-42 | 25-45 |
| | Howard Johnsons, Kingston | 64 | 28-60 | 32-60 |
| | * Pilgrim Sands Motel | 42 | 20-38 | 20-38 |
| | * Yankee Traveler | 40 | 22 up | |
| | Subtotal | 326 | | |
| Minor | * Red Oaks Motel | 22 | \$21 up | |
| | * Cold Spring | 17 | 16.50 up | |
| | Bay View, Kingston | 16 | 12 up | |
| | White Horse Motel | 16 | 9 up | |
| | * Plymouth Motel | 15 | 18 up | |
| | Capeway Traveler, Kingston | 12 | 17 up | |
| | Subtotal | 98 | | |
| | Total, Market area | 424 | | |
| | * Indicates immediate Plymouth location | 294 | | |

By contemporary real estate industry standards, even the largest of these properties would not be economic to develop today. A normal chain operation developed for Holiday Inn or Sheraton would require a minimum of 200 rooms. At that scale, the rates would be well above those in the market. Such a development would require its own parking, restaurant and function rooms.

No matter what site or mix of hotel, conference and other facilities is effected, its impact will be great on the traffic and tourism and on the existing hotel operations. The older properties will be able to compete well, as they do now, at the lower price ranges. A larger new property may result in enhanced attractiveness of the entire downtown/waterfront area and increase everyone's business. The only alternative will be economically marginal rehabilitations and conversions of larger houses to lodging use, together with a faint prospect for a new 100 room motel, although no location is in evidence at present.

LEASE

Agreement made this day of by and between the

Town of Plymouth, a municipal corporation, acting by and through its Board

of Selectmen, hereunto duly authorized, with its office at 11 Lincoln Street,

Plymouth, Plymouth County, Massachusetts, hereinafter referred to as the

Lessor, and

of Town Wharf, Plymouth, Plymouth County, Massachusetts, hereinafter referred to as the Lessee.

In consideration of the covenants herein contained on the part of the said Lessee, his heirs, representatives, and assigns, to be kept and performed, the said Town of Plymouth does hereby lease, demise and let unto the said Lessee, his heirs, representatives and assigns (a) certain parcel(s) of land shown as Lot(s) on a "Plan of Land at Town Wharf, Plymouth, MA, Scale: 1 inch = 40 feet, May 21, 1981, Federick J. Smith, Town Engineer," to which reference is hereby made for a more particular description and together with the right to pass and repass over the premises designated on the aforementioned plan as "open area."

1. Subject to earlier termination as hereinafter provided, the initial term of this Agreement shall be for years commencing on the day of , and ending on the last day of . Provided there shall not be a Default of Lessee, Lessee shall have the right, at its election, to extend the Term of this Lease for additional period of

years by notice in writing given to Lessor not less than six (6) months prior to the end of the original term. If Lessee shall give notice of the exercise of an election in the manner and within the time provided aforesaid, the Term of this Lease shall be extended upon the giving of the notice without the requirement of any action on the part of Lessor.

2. The Lessee covenants and agrees to pay the Lessor annual rent for the leased premises throughout the entire term hereof including any renewals thereof, the said rent to be determined by multiplying the annual rent paid for the said premises the previous year by a fraction, expressed as a percentage (of increase or decrease), which is published from time to time by the Commonwealth of Massachusetts Department of Revenue and otherwise known as its Market Value Factor or as the certified Commissioner's assessment of fair cash valuation,

provided, however, that if the Town should undergo revaluation at any time during the term of this lease, then the current annual rent shall be determined by multiplying the annual rent paid for the previous year by a fraction, also expressed as a percentage (of increase or decrease) which is in proportion to the difference in amounts, if any, between said revaluation and the most recent valuation prior thereto.

The first year's payment to be ______, and subsequent payments to be made on the first day of each July and January thereafter in advance during the term hereof for such further time as the said Lessee or any person or persons claiming under him shall hold said premises or any part thereof. Said rent shall be payable semiannually in advance. Changes in payment procedure may be made only upon prior written consent of the

3. The Lessee covenants and agrees to pay all local taxes due on said property and this lease is subject to termination for failure to make said payments.

Lessors.

4. The said Lessee, for himself and his heirs, representatives or assigns, hereby covenants with the Lessor, its successors and assigns, that the Lessee will during said term and for such further time as the Lessee

or any person or persons claiming under the Lessee shall hold said premises or any part thereof, pay unto the Lessor, its successors and assigns, the said semiannual rent on the days hereinbefore appointed for the payment thereof, and also all taxes, payments in lieu of taxes, water rates, sewer charges and assessments (if any), and that he will quit and deliver up the premises to the Lessor or its agents or attorney, peaceably and quietly upon the termination of said lease; that he will suffer no strip or waste thereof; that he will permit the Lessor, its agents or attorney, to enter to view said premises and to expel the Lessee if the Lessee, his heirs, representatives, successors or assigns shall permit any strip or waste thereof or commit any breach of the covenants of this lease.

- 5. The Lessee shall be allowed to conduct a
- 6. The Lessee shall restrict his use to such purpose, and shall not use or permit the use of the premises for any other purpose without the written consent of the Lessor, or the Lessor's authorized agent, the Board of Selectmen.
- 7. The Lessee shall have at all times the full and free right of ingress to and egress from the leased premises for himself, his employees, customers, suppliers, guest or other invitees, consistent with the Lessor's proper use of its police powers.
- 8. The Lessee further covenants and agrees that in no event shall there be carried on upon said premises any activity which shall be unlawful, improper, or offensive, or contrary to any law of this Commonwealth or of the United States of America, or of any bylaw of the Town of Plymouth.
- 9. The Lessee shall not use, or permit the leased premises or any part thereof, to be used, for any purpose or purposes, or acts done which will cause a cancellation of any insurance policy covering the building

located on the premises, or any part thereof, nor shall the Lessee sell, or permit to be kept, used, or sold, in or about the leased premises, any article which may be prohibited by the standard from of fire insurance policies. The Lessee shall, at his sole cost, comply with all requirements of any insurer, pertaining to the leased premises (including any buildings or structures thereon), necessary for the maintenance or insurance, as herein provided, covering any building and appurtenances at any time located on the leased premises.

- 10. And it is further agreed that the Lessor makes no representations or guarantees that the leased premises are fit for the uses to which they may be placed by the Lessee or for any other uses or purposes whatsoever.
- expense, general liability insurance with respect to the said leased premises, insuring the Lessee and the Lessor against claims for injuries to persons or property sustained by anyone while in or on said leased premises. The amount of liability coverage shall be \$500,000 per person and \$500,000 for more than one person. The amount of property damage insurance shall be \$100,000. The Lessee also agrees to secure and maintain adequate workers compensation for his employees. Copies of all insurance policies or copies of insurance binders shall be current and supplied to the Lessor.
- 12. The Lessee further covenants and agrees that he will indemnify and save harmless the Lessor from any and all claims for injuries to persons and/or damage to property by reason of any neglect, want of care or misconduct on the part of the Lessee, his agents, servants, heirs, successors or assigns, or by reason of the condition of the leased premises or any buildings or other structures thereon. And it is further understood and agreed that the Lessor shall not be liable in any way to the Lessee or his representatives for any injury to persons or damage to property resulting from any defect in the premises or from the sinking or settlement of the

land or from any change in the physical condition of the land caused by the elements, erosion, deterioration of the bulkhead or for any other reason whatsoever.

- assign this lease, nor sublet the whole or any part of the leased premises, without the consent in writing of the Lessor first being obtained.
- 14. It is understood and agreed that all buildings or other structures which may be erected or placed upon the leased premises by the Lessee shall remain the property of the Lessee and shall be removed by the Lessee prior to the termination of this lease or within a reasonable time thereafter, but that any and all buildings or structures which are not removed by the Lessee prior to the termination of the lease, or as otherwise extended, shall become the property of the Town of Plymouth.
- under no obligation to maintain or repair the leased premises, but that the Lessee covenants and agrees to keep said premises, together with any structures or appurtenances thereon, in good and sufficient repair and to quit and deliver up the premises upon the termination of the lease in the same condition they are now in, ordinary wear and tear and damage, resulting from action of the elements or circumstances over which the Lessee has no control only, excepted.
- expense to make such improvements, alterations, renovations, changes, and repairs in and about the leased premises, other than those herinbefore provided for the Lessee to do, as to the Lessor shall seem desirable. The Lessee shall make no claim against the Lessor for interference with the Lessee's leasehold interest or for loss or damage to his business during such improvements, alterations, renovations, changes, and repairs. The Lessee shall not interfere with or hinder the Lessor. The Lessor shall at

all times have the right to erect such buildings or other structures on adjoining or neighboring premises, or portions thereof, as it shall see fit or deem proper, without any liability to the Lessee therefor in any event or for any cause.

- 17. The Lessee agrees not to make, nor suffer to be made, any alteration to the exterior of any building located on the leased premises or to the leased premises themselves without the approval of the Lessor in writing having been first obtained.
- any time hereafter become unsuitable by reason of any laws or regualtions, which now or hereafter shall be enforced, affecting the Lessee's business, the Lessee shall have the right to terminate and cancel this lease upon giving the Lessor thirty (30) days notice in writing; provided, however, that the Lessor may, at its option, within such time, remove such cause for cancellation by permitting said premises to comply with the laws, rules, and regulations affecting the same.
- 19. Should the leased premises or any structures or appurtenances thereon be destroyed in whole or in part by fire or other casualty, the Lessee shall have the right to elect, within thirty (30) days, to promptly rebuild or restore the said premises to their present condition at the Lessee's own expense or to terminate this lease. The Lessee shall remain liable at all times for any rent hereunder, or any pro rata share thereof as the extent of the casualty is determined to exist by the Lessor.
- 20. It is agreed by the parties that the Lessor retain the absolute right to lease or rent other portions of Town-owned property, whether in the vicinity of the leased premises or not, to other parties for the same purposes as are set forth in this lease without the consent or approval of the Lessee.

- 21. The Lessee shall not at any time during the term of this lease, or any extension thereof, act as agent, servant, or employee of the Lessor and shall not be liable for failure to so act.
- 22. Provided always, and these presents are upon the express condition that in case of any breach of the terms and covenants to be observed by the Lessee, or those claiming under the Lessee, or in case the estate hereby created shall be taken from the Lessee by process of law, by proceedings in bankruptcy or insolvency or otherwise, the Lessor, or its successors or assigns, may, while the default or neglect continues, or any time after such taking and notwithstanding any license or waiver of any prior breach and condition and notwithstanding the fact that any payment or payments may have been received by the Treasurer or other official of the Town of Plymouth after said default or breach, without notice or demand, terminate this lease and enter upon the premises and thereby determine the estate hereby created and may thereupon expel and remove the Lessee and those claiming under the Lessee and their effects, without prejudice to any remedies which might otherwise be used for arrears of rent or proceding breach of covenant, and that upon entry as aforesaid, the said term shall cease and be ended.
- 23. All notices to be given with respect to this lease shall be in writing and sent by certified mail, postage prepaid, return receipt requested to the party to be notified at the address set forth herein or at such other address as either party may from time to time designate.

 Nothing herein contained shall be construed to preclude personal service of any notice in the manner prescribed for personal service of legal process or in substantial conformity therewith.
- 24. This lease is granted upon express condition that in the event of war, this lease may be cancelled by either party and all obliga-

tions hereunder shall cease. The Lessee shall have reasonable time to remove any structures or other appurtenances from the leased premises.

IN WITNESS WHEREOF, the said

as Lessee, has hereunto set his hand and seal, and the Town of Plymouth has caused its corporate seal to be affixed hereto and the Board of Selectmen, hereunto duly authorized, on the day and year first above written.

| | Lessee |
|---------------------------------------|---|
| | By: |
| Approved as to Legal Form and Content | |
| Robert L. Shea, Town Counsel | Town of Plymouth By Its Board Of Selectmen Lessor |
| | |
| | |
| | |

The purpose of this Appendix is to provide a design framework for the waterfront development parcel. These guidelines are intended to be flexible enough to allow individual creativity, yet encourage designs which are consistent with the desired character of the Town Wharf. The guidelines are divided into three categories:

- o Townscape -- specifies the intended relationship between the existing buildings on the Town Wharf and those on the development parcel, among the buildings on the parcel itself, and between buildings and the land.
- o Buildings -- identifies the basic character of various building elements including roofs, walls, openings, and arcades.
- o Landscape -- describes intended character of landscape elements such as paving, planting, and lighting.

These guidelines are meant to be illustrative. The intent of the guidelines should be inferred, rather than attempting to exactly reproduce the illustrations which are provided.

The architectural philosophy underlying the guidelines is based on the existing character of the Town Wharf and Plymouth and the desire of local residents to maintain Plymouth's historic quality, as well as the characteristics typical of a New England town. The intent of the guidelines is to capture the flavor of earlier structures and their various styles, but not to reproduce any particular period or type of architecture. The overriding considerations are that 1) development be of consistent character, relying on a comprehensive set of forms, materials, colors, and details; 2) the buildings will be new structures and should honestly reflect their contemporary functions, but also, be consistent with the character of existing older structures. Attempts to apply a motif, such as "colonial" or "mansard roofs" should be avoided at all costs. So should chain store aesthetic. Although certain chain stores would be desirable, stock designs which do not conform to the guidelines should be avoided. The Town Wharf has a unique character of its own which deserves to be reinforced. guidelines below represent a range of architectural elements which, if scrupulously followed in design, will preserve that character.

TOWNSCAPE

Typical New England Seacost Towns consist of many individual structures usually placed with some relationship to the water. Most buildings are of a modest, consistent scale. Buildings in prominent locations or serving important functions are usually larger or taller and have distinctive features. To achieve these characteristics on the development parcel, the following guidelines should be applied:

o Individual structures should be as small and compact as practical.

- O Differences in interior functions should be emphasized by changes in form on the exterior. The imperatives of modern construction and economics often require structures which are larger and more horizontal in form than typical of New England Towns. For this reason, careful articulation of buildings is essential. Individual shop areas, dwelling units, or entrances can be defined by projecting or recessing the facade or by differences in roof height.
- A few basic rooflines, cornice heights, and forms should be established and utilized throughout.
 - Basic colors and/or materials might be changed in selected areas to emphasize special features.
 - o Landscape and planting should be designed to emphasize important pathways, spaces, and vistas. For example, trees should be planted along major walk-ways and in the central space but should not obscure building or view of the water.

BUILDINGS

Walls

Consistent use of wall materials, details, and colors will lend unity and coherence. In general, one wall material should predominate a group of buildings. A second material may be used on selected structures or to accent significant features. Acceptable wall treatments include:

- o Horizontal clapboard siding spaced at 4" with corner boards and sillboards. Vertical boards and batten siding or textured plywood are not acceptable.
- o Shingles, similar to those used in other buildings on the Wharf or in typical Plymouth structures.
- o Fired clay brick, standard size, deep red color. Artificial brick or "jumbo" brick is not acceptable. Brick may not be painted.
- o Exposed foundations should be brick or stone.
- o A limited palette of colors. In general, no more than two colors should be used on a single building -- one for the walls, the other for trim. Not more than three combinations of wall and trim colors should be used within a group or related structures. Muted colors should be used for the walls. Bright colors should be used sparingly and only for focal points such as doors.

Roofs

A mensitive combination of roof types will unify and add character to buildings on the parcel. Typical New England roofs are almost always pitched and this should be the predominant form used in the development parcel. Guidelines are as follows:

- o Gabled, or shed roofs should predominate, although hipped and gambrel roofs are acceptable. All roof types should be completely articulated, with cornices and/or eaves appropriately scaled to the structure.
- o No mechanical equipment should be exposed on roof tops, but rather incorporated into the design of buildings.
- o Dormers are acceptable, to provide light and space for interior functions.
- o Cupolas, towers and other roof projections are acceptable if they perform a logical function, such as to provide a focal point within a group of structures, or at the end of a vista. Such features should not be used randomly as decorative elements.
- o Acceptable roofing materials are standard stone impregnated asphalt shingles, slate, or "terne" metal. No tile or split cedar shingles.
- o Roofs should be dark or neutral in color so as not to compete with the remainder of the building. Light roof colors are not acceptable.

Openings

- o A consistent rhythm and scale of doors and windows should be maintained for each group of buildings.
- o In general, <u>simple rectangular shapes</u> work best, but circles, arches or other shapes can be used at selected locations to emphasize entrances, passageways, and other important features.
- o Wooden doors and windows with tinted glass inserts are most appropriate.

 Aluminum frames, sash, and mullions are acceptable, but only if annodized to a dark or neutral color. Natural aluminum finishes are not acceptable.

Arcades

Permanent cover should be considered at buildings along the walkways in the development parcel.

- o Where buildings are less than 50' apart the arcade should extend between them.
- o Arcades incorporated within the form of a building are preferred. They may be attached or freestanding, if compatible in design and material with adjacent structures.
- o Acceptable construction types are wood with asphalt shingles, glass and steel, or canvas on a permanent steel frame. Support systems should be simply conceived with no unnecessary decoration or trellis work. Aluminum supports and awnings are not acceptable.

LANDSCAPE

Paving

In general, paving should be commensurate with its function and level of use. A coordinated system of paving materials should be chosen and used consistently throughout the project.

- Central Open Space should be attractively paved with brick, stone, or other similar materials.
- o Walkways should be of brick, stone, or concrete pavers.

Planting

In general, planting should define and reinforce built features and spaces, and be functional as well as decorative. Plants should be used to provide cover and shade, screen obtrusive views and channel desirable views, and direct traffic.

- o Trees should be intersperced in the development parcel, especially in the central open space.
- o All plant materials and parking areas should be native or naturalized to the Plymouth area and be able to survive in an oceanside setting. Exotics or ornamentals are not acceptable because of acclimation problems and because they are not in keeping with traditional New England settings.

Lighting

Light fixtures are key accent features during daylight hours and provide for safety at night.

- o <u>Lighting Levels</u> should be set at the minimum allowable to meet safety standards.
- o Fixtures should be simple, contemporary, and compatible with architectural styles. Carriage lamps, imitation "colonial", and standard "highway cobra" fixtures are not acceptable.
- o Light standards may be of wood, steel, or aluminum. Finishes should be black or a dark, neutral color.
- o Standards should not exceed the average height of surrounding structures. A maximum height of 20' 25' is preferred.
- o Illuminated signs are not acceptable. Lighting for signs should be direct and from hidden fixtures.

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